

Brotherhood of Railway Employees, all of San Francisco, Cal., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. KERN: Petitions of Hy. F. Stumpf, of Waterloo, and William Ebers, of Bremen, Ill., favoring House bill 9206—to the Committee on Agriculture.

By Mr. LANHAM: Resolutions of Lodge No. 20, Locomotive Firemen, of Paris, Tex., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. McCALL: Petition of citizens of Somerville, Mass., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. McCLEARY: Resolutions of the Northwestern Manufacturers' Association, the Commercial Club, and the Jobbers' Union, of St. Paul, Minn., indorsing legislation for the irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of the Northwestern Manufacturers' Association, approving the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolutions of Release Lodge, No. 579, Brotherhood of Locomotive Firemen, Montevideo, Minn., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Petition of residents of Danvers, Mass., favoring House bills 11535 and 11536, for the protection of birds—to the Committee on Agriculture.

Also, petition of the Sons of Poland, of Salem, Mass., favoring the erection of a monument to Count Pulaski—to the Committee on the Library.

By Mr. NEVILLE: Petitions of W. W. Fought, W. F. Miles, A. F. Maloy, and other citizens of Deuel County, Nebr., opposing the leasing of public lands—to the Committee on the Public Lands.

Also, paper to accompany House bill 5171, for the relief of Catherine Grace—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: Petition of John H. Hollingsworth, jr., of Limestone County, Ala., asking that his claim be referred to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. ROBINSON of Louisiana: Petition of Louis V. Porche, of Point Coupee, La., for reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Resolutions of the New York Produce Exchange, favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Division No. 54, Order of Railway Conductors, Bohemian Typographical Union, No. 131, New York Hackmen's League, and Sixth Branch, Amalgamated Society of Carpenters, all of New York City, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of Missouri, Kansas, and Oklahoma Association of Lumber Dealers, for legislation amending the existing interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. SHACKLEFORD: Resolutions of Carpenters' Union No. 945, of Jefferson City, Mo., in favor of the exclusion of Chinese laborers, etc.—to the Committee on Foreign Affairs.

By Mr. SHAFROTH: Petitions of the Patriotic Order of Sons of America, Camp No. 15, of Denver, Colo., and citizens of Lake County, Colo., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of German-American Central Verein, Denver, Colo., against any proposition to restrict the immigration of healthy and honest persons—to the Committee on Immigration and Naturalization.

Also, resolutions of the Chamber of Commerce and citizens of Cripple Creek, Colo., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers and Masons' Union of Leadville, Colo., in regard to employees in navy-yards and for the enforcement of the eight-hour law—to the Committee on Naval Affairs.

By Mr. SMITH of Illinois: Resolutions of Mine Workers' Unions No. 757, of Elkville, and No. 1880, of Marion, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SNOOK: Petition of Jennie Burns, to accompany House bill to amend the military record of Daniel Burns—to the Committee on Military Affairs.

By Mr. SNODGRASS: Petition of Gincey Edwards, of Sumner County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. SPIGHT: Papers to accompany bill for the relief of W. D. Aston—to the Committee on War Claims.

By Mr. SULZER: Resolutions of Local Assembly No. 6909,

Knights of Labor, Brooklyn, N. Y.; New York Produce Exchange, and executive committee of bricklayers' unions of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Baltimore Typographical Union No. 12, and of Central Trades and Labor Council of New Orleans, La., against the passage of House bill 5777, amending the copyright laws—to the Committee on Patents.

Also, resolutions of the Merchants' Association of New York, urging reciprocity with Cuba upon the basis of not less than 40 per cent reduction—to the Committee on Ways and Means.

Also, resolutions of the Thirteenth Club of the City of New York, in opposition to sending a special embassy to attend the coronation of King Edward VII—to the Committee on Foreign Affairs.

Also, petition of W. J. Quinn, Dr. F. W. Grube, and others, of New York City, for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

Also, resolutions of the Maritime Association of the Port of New York, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the same association, in relation to the ship-subsidy bills—to the Committee on Interstate and Foreign Commerce.

By Mr. TIRRELL: Resolutions of Bay State Lodge No. 73, Brotherhood of Locomotive Firemen, of Worcester, Mass., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. YOUNG: Petition of the American Wireless Telephone and Telegraph Company, for the extension of patent No. 350299—to the Committee on Patents.

Also, petition of Encampment No. 33, Union Veteran Legion, urging the passage of a service pension bill—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, April 29, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

COLUMBIA INSTITUTION FOR DEAF AND DUMB.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the president of the Columbia Institution for the Deaf and Dumb submitting an estimate of appropriation to provide for suitable protection against disaster by fire to the buildings of that institution, \$3,291; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

THE REVENUE-CUTTER SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the chief of the division of Revenue-Cutter Service submitting an additional estimate of appropriation, \$115,000, to meet the requirements in the matter of longevity pay for officers of the Revenue-Cutter Service for the fiscal year ending June 30, 1903, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

C. M. BROADWAY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of C. M. Broadway, administrator of Jordan Broadway, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

The message also returned to the Senate, in compliance with its request, the bill (S. 312) providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 284) granting an increase of pension to James Frey;
 A bill (S. 319) granting a pension to Ida M. Warren;
 A bill (S. 324) granting an increase of pension to Nellie Loucks;
 A bill (S. 636) to remove the charge of desertion against David A. Lane;
 A bill (S. 694) granting a pension to James Caton;
 A bill (S. 715) to provide for two additional associate justices of the supreme court of the Territory of Oklahoma, and for other purposes;
 A bill (S. 899) granting an increase of pension to George F. Bowers;
 A bill (S. 1321) to restore to the active list of the Navy the name of James G. Field;
 A bill (S. 1363) granting an increase of pension to James A. McKeehan;
 A bill (S. 1625) granting an increase of pension to Jethro M. Getman, alias James M. Getman;
 A bill (S. 1629) granting an increase of pension to James W. Humphrey;
 A bill (S. 1638) granting a pension to John R. Homer Scott;
 A bill (S. 1643) granting an increase of pension to Ellen J. Clark;
 A bill (S. 1814) granting an increase of pension to Anna E. Luke;
 A bill (S. 1881) to correct the military record of Peter Connell;
 A bill (S. 2305) granting an increase of pension to Lemuel Grove;
 A bill (S. 2346) granting a pension to Amanda C. Bayliss;
 A bill (S. 2455) granting an increase of pension to Genevieve Almira Sprigg Ludlow;
 A bill (S. 2533) to remove the charge of desertion against Frederick Schulte or Schuldt;
 A bill (S. 2738) granting an increase of pension to James W. Hankins;
 A bill (S. 2805) granting an increase of pension to Anna L. Cory;
 A bill (S. 2943) granting an increase of pension to Thomas S. Rowan;
 A bill (S. 2971) granting an increase of pension to Silas D. Strong;
 A bill (S. 3108) granting an increase of pension to Inez E. Perrine;
 A bill (S. 3217) granting an increase of pension to Charles Dixon;
 A bill (S. 3252) granting an increase of pension to Jesse W. Bice;
 A bill (S. 3321) granting a pension to Patrick J. Murphy;
 A bill (S. 3334) granting an increase of pension to Thomas E. James;
 A bill (S. 3472) granting an increase of pension to Zeno T. Griffin;
 A bill (S. 3519) granting an increase of pension to Charles L. Cummings;
 A bill (S. 3633) granting an increase of pension to Samuel L. Leffingwell;
 A bill (S. 3634) granting an increase of pension to Elizabeth A. Capehart;
 A bill (S. 3663) to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway;
 A bill (S. 3672) granting an increase of pension to James Scanell;
 A bill (S. 3820) granting an increase of pension to Warren B. Nudd;
 A bill (S. 3991) granting an increase of pension to Waity West;
 A bill (S. 4042) granting an increase of pension to William H. Norton;
 A bill (S. 4056) granting an increase of pension to Minerva Nelson;
 A bill (S. 4111) granting an increase of pension to Abner J. Pettee;
 A bill (S. 4335) granting an increase of pension to John Brown;
 A bill (S. 4339) authorizing the White River Railway Company to construct a bridge across the White River in Arkansas;
 A bill (S. 4381) granting an increase of pension to John S. Robinson;
 A bill (S. 4514) granting an increase of pension to Mary Beals;
 A bill (S. 4535) granting an increase of pension to Lydia M. Granger;
 A bill (S. 4619) granting an increase of pension to Clifford Neff Fyffe;
 A bill (S. 4647) to amend section 4929 of the Revised Statutes relating to design patents;
 A bill (S. 4650) granting an increase of pension to Delania Ferguson;
 A bill (S. 4658) granting an increase of pension to Charles I. Rand;

A bill (S. 4740) granting an increase of pension to Maria L. Godfrey;
 A bill (S. 4749) granting an increase of pension to Eunice A. Smith;
 A bill (S. 4969) granting an increase of pension to Abbie George;
 A bill (H. R. 282) granting an increase of pension to John O'Rourke;
 A bill (H. R. 2599) granting an increase of pension to John Hall;
 A bill (H. R. 2660) granting an increase of pension to Henry Runnebaum;
 A bill (H. R. 4426) granting an increase of pension to Daniel Sims;
 A bill (H. R. 4543) granting an increase of pension to George W. Parker;
 A bill (H. R. 5111) granting an increase of pension to James D. Rowland;
 A bill (H. R. 5711) granting an increase of pension to James R. Brockett;
 A bill (H. R. 5789) granting an increase of pension to Joseph Seithen;
 A bill (H. R. 6205) granting an increase of pension to Richmond M. Curtis;
 A bill (H. R. 6356) granting an increase of pension to William G. Taylor;
 A bill (H. R. 7116) granting an increase of pension to Alex. F. McConnell;
 A bill (H. R. 8562) granting an increase of pension to Sarah Ciples, now Vandemark;
 A bill (H. R. 9144) granting an increase of pension to James R. Wilson;
 A bill (H. R. 9370) granting an increase of pension to John J. Wolfe;
 A bill (H. R. 9952) granting a pension to William P. Featherstone;
 A bill (H. R. 10361) granting an increase of pension to Alex. Scott;
 A bill (H. R. 11091) granting an increase of pension to James Cooley;
 A bill (H. R. 11112) granting an increase of pension to S. Agnes Young;
 A bill (H. R. 11168) granting an increase of pension to Isaac Phipps;
 A bill (H. R. 11977) granting a pension to Sidney Cable;
 A bill (H. R. 12504) granting a pension to James B. Hashbargar;
 A bill (H. R. 12550) granting an increase of pension to James E. Horton;
 A bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent; and
 A bill (H. R. 13066) granting an increase of pension to Obed D. Jasper.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented petitions of Bluestone Lodge, No. 446, Brotherhood of Locomotive Engineers, of Bluefield; and of New River Division, No. 140, Order of Railway Conductors, of Hinton, in the State of West Virginia, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of a substitute therefor; which were ordered to lie on the table.

Mr. DILLINGHAM presented a petition of Federal Union, No. 9635, American Federation of Labor, of Vergennes, Vt., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. KEAN presented petitions of Local Division No. 85, Order of Railroad Telegraphers, of Trenton; of Lodge No. 11, Brotherhood of Locomotive Firemen, of Phillipsburg, and of Local Division No. 312, Order of Railway Conductors, of Weehawken, all in the State of New Jersey, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the adoption of the proposed substitute therefor; which were ordered to lie on the table.

Mr. FAIRBANKS presented a memorial of the M. Henock Company, of La Porte, Ind., remonstrating against the adoption of an amendment to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of Fort Wayne Lodge, No. 136, Brotherhood of Railroad Trainmen, of Fort Wayne, Ind., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases, and remonstrating

against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. BURROWS presented petitions of Merston, Schuette, Parker & Co., of Saginaw, and of the Board of Trade of Grand Rapids, in the State of Michigan, praying for the adoption of certain amendments to the interstate commerce law; which were referred to the Committee on Interstate Commerce.

He also presented memorials of the Alma Roller Mills, of Alma; of the Walsh-De Roo Milling Company, of Holland; of the Holly Milling Company, of Holly; of the Detroit Milling Company, of Detroit; of David Stott, of Detroit; of the Huron Milling Company, of Harbor Beach; of the Valley City Milling Company, of Grand Rapids; and of Merston, Schutte, Parker & Co., of Saginaw, all in the State of Michigan, remonstrating against the adoption of the so-called London landing clause in bills of lading; which were referred to the Committee on Interstate Commerce.

Mr. PENROSE presented petitions of Coleman Post, No. 467, of Annville; of John P. Croll Post, No. 156, of Kittanning; of Colonel James Ashworth Post, No. 334, of Frankford; of William L. Curry Post, No. 18, of Philadelphia; of E. B. Young Post, No. 87, of Allentown; of Abe Patterson Post, No. 88, of Allegheny; of A. B. Langley Post, No. 301, of Cambridge Springs, and of Captain E. F. Rice Post, No. 211, of Factoryville, all in the State of Pennsylvania, praying for the enactment of legislation granting pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over; which were referred to the Committee on Pensions.

He also presented petitions of Brotherhood of Carpenters and Joiners' Union No. 333, of Berwyn; of United Mine Workers' Union No. 1536, of Coaldale; of Local Union No. 115, of Souderstown; of Local Union No. 192, of Reading; of Brotherhood of Locomotive Firemen's Lodge No. 62, of Carbondale; of Boiler Makers and Iron Ship Builders' Union No. 245, of Dubois; of Folwell Lodge, No. 326, Brotherhood of Locomotive Firemen, of Bradford; of Lackawanna Lodge, No. 283; Brotherhood of Locomotive Firemen, of Hallstead, and of United Mine Workers' Union No. 32, of Sunnyside, all in the State of Pennsylvania, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of the United Mine Workers' Union, of Hopewell; of United Mine Workers' Local Union No. 169, of McAdoo; of Miners of Lick Run Local Union, No. 230, of Broughton; of United Mine Workers' Branch, of Dale; of Workmen of the Nottingham Mines, of Plymouth; of Local Union No. 558, United Mine Workers of America, of McDonald; of United Mine Workers' Union No. 862, of Scranton; of United Mine Workers' Union No. 961, of Jeansville; of United Mine Workers' Union of Heckschersville; of Local Union No. 1503, United Mine Workers of America, of Scranton; of Centralia Local Union, No. 1479, of Centralia; of United Mine Workers' Union of Six Mile Run; of Local Union No. 79, of Webster; of Franklin Central Labor Council, of Franklin; of Local Union No. 1728, of Wilburton; of Local Union No. 1640, of Minersville; of Local Union No. 626, of Desire; of Local Union No. 1781, United Mine Workers, of Mount Carmel; of Local Union No. 1691, of Olyphant; of United Mine Workers of America, of Tarentum; of United Mine Workers Local Union No. 1624, of Lavelle; of Cigar Makers' International Union No. 104, of Pottsville; of Cigar Makers' Union No. 108, of Lockhaven; of Cigar Makers' Union No. 436, of Olyphant; of American Flint Glass Workers' Union No. 19, of Philadelphia; of Flint Glass Workers' Union No. 65, of Homestead; of Journeymen Plumbers of Charle-roi; of Harrisburg Typographical Union, No. 14, of Harrisburg; of union workmen of Clearfield; of Machinists' Union Lodge No. 327, of Meadville; of Lock Workers' Union No. 9354, of Lancaster; of Lehigh Lodge, No. 403, of Easton; of Iron and Steel Workers' Union No. 9249, of Pottstown; of Harrisburg Lodge, No. 174, Brotherhood of Locomotive Firemen, of Harrisburg; of Local Union No. 463, Brotherhood of Carpenters, of Philadelphia; of Brotherhood of Carpenters and Joiners of America, of Nanticoke; of Local Union No. 409, of Erie; of Local Union No. 699, Carpenters and Joiners of America, of Sewickley; of Local Union No. 691, Carpenters and Joiners, of Williamsport; of Local Union No. 587, of Coatesville; of Local Union No. 571, of Carnegie; of Kane Union, No. 545, of Kane; of Local Union No. 541, Carpenters and Joiners of America, of Washington; of Local Union No. 900, Carpenters and Joiners, of Altoona; of Carpenters and Joiners' Union of Verona; of Local Union No. 834, of Reynoldsville; of Allentown Union No. 155, Carpenters and Joiners of America, of Allentown; of the Order of Railroad Telegraphers, of Harrisburg; of Herculean Lodge, No. 574, Brotherhood of Railroad Trainmen, of Harrisburg; of Journeymen Barbers' International Union No. 157, of Franklin; of Bakers and Confectioners' Union No. 151, of Easton; of Bricklayers and Masons' Union No. 35, of Germantown; of Local Union No. 33, of Philadelphia; of Bricklayers' Union No. 15, of Allentown; of Local Union No. 192, of Reading; of Carpenters' Local Union No. 191, of York; of Ardmore Local Union of Carpenters and Joiners, No. 465, of Ardmore; of Val-

ley Lodge, No. 172, of the Switchmen's Union of North America, of Sayre; of Plumbers, Steam and Gas Fitters, and Steam Fitters' Helpers' Local Union No. 207, of Bradford; of Plumbers' Local Union No. 199, of Chester; of Plumbers' Local Union No. 192, of Sharon; of Plumbers' Local Union No. 42, of Reading; of Journeymen Plumbers' Local Union No. 39, of Newcastle; of Local Union No. 37, Plumbers, Gas and Steam Fitters, of Oil City; of Brewery Workmen's Hall Union, No. 240, of Dubois; of Brewery Workmen's Union No. 206, of Lancaster; of Iron Molders' Local Union No. 312, of Harrisburg; of Engineers and Firemen's Local Union No. 1745, of Summit Hill; of Mill Workers' Local Union No. 665, Brotherhood Carpenters and Joiners of America, of Wilkesbarre; of Typographical Union of Sayre; of Division No. 331, Order of Railway Conductors of America, of Columbia; of Brotherhood of Railroad Trainmen, Lodge No. 105, of Oil City; of Good Will Lodge, No. 106, Brotherhood of Railroad Trainmen, of Allegheny; of Brotherhood of Railroad Trainmen, of Northumberland; of Philadelphia Lodge, No. 387, Brotherhood of Railroad Trainmen, of Philadelphia; of Pennsylvania Lodge, No. 511, Brotherhood of Railroad Trainmen, of Philadelphia; of Local Union No. 77, of Dagus Mines, of Dagus; of United Mine Workers' Local Union No. 95, of Defiance; of Carpenters and Joiners' Union No. 124, of Bradford; of Carpenters' Local Union No. 122, of Germantown; of Carpenters and Joiners' Local Union, of Hazleton; of Carpenters' Local Union No. 93, of Wilkesbarre; of Leather Glazers' Union No. 5, of Philadelphia; of Barbers' Local Union of Dubois; and of Local Union No. 124, of Bradford, all in the State of Pennsylvania, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. DOLLIVER presented petitions of the Trades and Labor Assembly of Sioux City; of the Trades and Labor Assembly of Centerville; of Federal Labor Union No. 9042, of Jefferson; of Barbers' Local Union No. 116, of Davenport; of Retail Clerks' Local Union No. 183, of Clinton; of Iron Molders' Local Union No. 263, of Dubuque; of Brewery Workers' Local Union No. 178, of Sioux City; of Locomotive Engineers' Local Union of Burlington; of Locomotive Firemen's Lodge No. 161, of Burlington; of Gordo Lodge, No. 29, Brotherhood of Locomotive Firemen, of Mason City; of the Plumbers' Local Union of St. Joseph; of Plumbers' Local Union No. 33, of Des Moines; of Plumbers' Local Union No. 125, of Cedar Rapids; of Plumbers' Local Union No. 212, of Burlington; of Typographical Union No. 22, of Dubuque; of Typographical Union No. 68, of Keokuk; of Typographical Union No. 334, of Clinton; of Journeymen Tailors' Local Union No. 300, of Davenport; of United Mine Workers' Local Union No. 1047, of Des Moines; of Journeymen Tailors' Local Union No. 42, of Waterloo; of Journeymen Tailors' Local Union No. 15, of Des Moines; of J. W. Phillips Lodge, No. 104, Brotherhood of Railroad Trainmen, of Moulton; of Connecting Link Lodge, No. 212, Brotherhood of Railroad Trainmen, of Belle Plaine; of Lodge No. 520, Brotherhood of Railroad Trainmen, of Council Bluffs; of United Mine Workers' Local Union No. 949, of Carbondale; of United Mine Workers' Local Union No. 1993, of Pella; of United Mine Workers' Local Union No. 159, of Harkes; of United Mine Workers' Local Union No. 708, of Forbush, and of United Mine Workers' Local Union No. 790, of Pekay, all in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. McCOMAS. I present a petition of the legislature of Maryland praying that an appropriation be made to complete the "inland waterway" connecting Chincoteague Bay and the Delaware Bay. I ask that the petition be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the petition was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF MARYLAND, OFFICE OF SECRETARY OF STATE,
Annapolis, April 25, 1902.

Hon. LOUIS E. McCOMAS,
United States Senate, Washington, D. C.

DEAR SIR: Complying with the request contained in the joint resolution of the general assembly of Maryland of 1902 I inclose herewith a copy of the same.

Very truly,

WILFRED BATEMAN,
Secretary of State.

JOINT RESOLUTION.

Joint resolution of the general assembly of the State of Maryland to Congress to complete the "inland waterway" connecting Chincoteague Bay and the Delaware Bay.

Whereas Congress in several of its past river and harbor acts has appropriated several sums of money for the purpose of creating an inland waterway between Chincoteague Bay and the Delaware Bay, which appropriation has been recommended by the Chief of Engineers and disbursed under the authority of the Secretary of War; and

Whereas said inland waterway has not yet reached the stage of completion intended in the recommendation of the Chief of Engineers heretofore accepted: Therefore be it

Resolved by the general assembly of Maryland, That the delegation in Congress from this State be, and is hereby, requested to urge upon Congress to make a suitable appropriation for the early completion of this work.

Be it further resolved, That the secretary of state be, and he is hereby, requested to transmit a copy of these resolutions, under the seal of the State, to each of the Senators and Representatives now in Congress from this State.

[SEAL.]

JOHN HUBNER,
President of the Senate.
NOBLE L. MITCHELL,
Speaker of the House of Delegates.

I, John Walter Smith, governor of the State of Maryland, do hereby certify that the foregoing is a true and correct copy of a joint resolution of the general assembly of Maryland in reference to "inland waterway" connecting Chincoteague Bay and Delaware Bay.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Maryland this 25th day of April, 1902.

[SEAL.]

By the governor:

JOHN WALTER SMITH,
Secretary of State.
WILFRED BATEMAN,

Mr. MCOMAS. I present a petition of the legislature of Maryland, praying that an appropriation be made to acquire and enlarge the Chesapeake and Delaware Canal, in order that it may be used by the warships of the Navy and the merchants' shipping as an inland waterway for the purposes of public defense and international commerce. I ask that the petition be printed in the RECORD, and referred to the Committee on Commerce.

There being no objection, the petition was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF MARYLAND, OFFICE OF SECRETARY OF STATE.
Annapolis, April 25, 1902.

Hon. LOUIS E. MCOMAS,
United States Senate, Washington, D. C.

DEAR SIR: Complying with the request contained in the joint resolution of the general assembly of Maryland of 1902, I inclose herewith a copy of the same.

Very truly,

JOHN WALTER SMITH, Governor.

JOINT RESOLUTION.

Whereas the Chesapeake and Delaware Canal, extending from Elk River in Cecil County, Md., to Delaware City, on the Delaware, connecting the waters of the Chesapeake and Delaware bays, furnishes a direct route to sea for war ships of the United States Navy and vessels trading at the ports of Baltimore and the upper part of Chesapeake Bay, thereby shortening the distance from Baltimore to European ports and New York and New England seaboard cities 225 miles, and avoiding the dangerous and tedious route doubling Cape Charles; and

Whereas the speedy acquisition of said canal by the Federal Government for the purpose of widening and enlarging it to accommodate war ships and seagoing vessels of the largest size can be accomplished by a very small expenditure of the public funds compared to the paramount importance of such waters to the large and increasing commerce of Baltimore and the great agricultural sections of the Southwest, the West, and the Northwest, all of which finds its nearest and most natural outlet at Baltimore; and

Whereas the Federal Government has expended and is expending large sums of money to improve and extend the Naval Academy grounds at Annapolis, and from year to year is also increasing the size and importance of the national capital; and

Whereas the said canal enlarged and deepened would afford the cheapest and most effectual means of defending the cities of Washington, Baltimore, and Annapolis on the south side, and Philadelphia, Chester, Wilmington, New York, and the New England seaports on the north side, in case of war by enabling the naval forces of the United States freely and speedily to pass from bay to bay, and enabling our Navy to pass up the Atlantic coast by an inland waterway for the defense of said cities when threatened by hostile fleets, and would also enable our merchant shipping to retreat from one bay to the other in case of danger from a hostile fleet; and

Whereas the Federal Government is charged with the public defense, and it is its duty to adopt the most complete mode of rendering the capital and Annapolis and the great seaboard cities impregnable, and the interests heretofore mentioned are of national as well as international importance, and the acquisition and change in said canal necessary to fit it for the purposes aforesaid can be effected at a comparatively small expense when the vast importance of the work is considered: Therefore, be it

Resolved by the general assembly of Maryland, That the Representatives and Senators from Maryland in the Congress of the United States are hereby requested to use their best efforts to secure an appropriation by the Federal Government of sufficient money to acquire and enlarge the said Chesapeake and Delaware Canal in order that it may be used by the war ships of the Navy and the merchant shipping as an inland waterway for the purposes of public defense and international commerce.

And be it further resolved, That the governor of Maryland be, and he is hereby, requested without delay to transmit a copy of these resolutions to each of the said Representatives and Senators from Maryland.

Given under our hand this 10th day of April, 1902.

JOHN HUBNER,
President of the Senate.
NOBLE L. MITCHELL,
Speaker of the House of Delegates.

REPORTS OF COMMITTEES.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 4617) to authorize a survey of certain lands in the State of Wyoming, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. SIMON, from the Committee on Pensions, to whom was referred the bill (H. R. 5110) granting an increase of pension to William H. Dixon, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 4393) reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land therein described, etc., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5261) reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land therein described, etc., reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 4204) relating to grants of land to the Territory and State of Washington for school purposes, reported it with amendments, and submitted a report thereon.

Mr. MARTIN, from the Committee on Claims, to whom was referred the bill (S. 4782) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Clayton G. Landis, administrator of David B. Landis, deceased, reported it without amendment, and submitted a report thereon.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the bill (S. 3316) to amend an act entitled "An act to create a new division in the western judicial district of the State of Missouri," approved January 24, 1901, reported it without amendment.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1380) granting an increase of pension to Mary Tate;
A bill (H. R. 9156) granting an increase of pension to Uriah Garber;

A bill (H. R. 12576) granting an increase of pension to Thomas Wells; and

A bill (H. R. 11695) granting an increase of pension to George W. Hatton.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 5381) to correct errors in dates of original appointments of Capt. James J. Hornbrook and others, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2316) to correct the military record of Albert Baker, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the joint resolution (H. J. Res. 172) authorizing the Secretary of War to loan to the Morgan Memorial Association, of Winchester, Va., certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa., reported it with an amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PETTUS introduced a bill (S. 5498) for the relief of Thomas H. Carpenter; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MCENERY introduced a bill (S. 5499) for the relief of the estate of William Salamber and Charlot G. Salamber; which was read twice by its title, and referred to the Committee on Claims.

Mr. GAMBLE introduced a bill (S. 5500) granting an increase of pension to Angus Cameron; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 5501) granting a pension to Jennette C. Danico; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5502) granting an increase of pension to Robert L. Bailey;

A bill (S. 5503) granting an increase of pension to John N. Rouser; and

A bill (S. 5504) granting an increase of pension to James H. Werking.

Mr. HANSBROUGH introduced a bill (S. 5505) adjusting certain conflicts respecting State school indemnity selections in lieu of school sections in abandoned military reservations; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. KITTREDGE introduced a bill (S. 5506) granting an increase of pension to Clayton P. Van Houten; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 5507) granting an increase of pension to Jarratt F. Rigg; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 5508) granting an increase of pension to George J. Cheney; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5509) granting an increase of pension to Adam Stuber (with an accompanying paper);

A bill (S. 5510) granting an increase of pension to H. P. Mann; and

A bill (S. 5511) granting an increase of pension to Albert De Witt Clinton Walker (with an accompanying paper).

Mr. MORGAN introduced a bill (S. 5512) for the relief of John Mantel; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 5513) granting an increase of pension to William H. Laws; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 5514) for the erection of a public building at Albuquerque, N. Mex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5515) for the relief of Robert H. Long; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 5516) to prevent the sale of intoxicating liquors in immigrant stations; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 5517) to grant an honorable discharge from the military service to Daniel Barry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5518) granting an increase of pension to Levi Brader;

A bill (S. 5519) granting an increase of pension to Randolph Hayman;

A bill (S. 5520) granting an increase of pension to Orlando Diefenbach;

A bill (S. 5521) granting an increase of pension to Stephen W. Pomeroy; and

A bill (S. 5522) granting a pension to Elizabeth De Huff.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5523) granting a pension to Bernard Closkey;

A bill (S. 5524) granting a pension to Mary C. Gussler;

A bill (S. 5525) granting a pension to David H. Feight;

A bill (S. 5526) granting an increase of pension to Benjamin F. Cornman;

A bill (S. 5527) granting an increase of pension to Milton Stratton; and

A bill (S. 5528) granting an increase of pension to Edmund R. Newhard.

Mr. DOLLIVER introduced a bill (S. 5529) authorizing the adjustment of the rights of settlers on the Navajo Indian Reservation, Territory of Arizona; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 5530) granting an increase of pension to Owen E. Newton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCOMAS introduced a bill (S. 5531) for the relief of James F. McIndoe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McLAURIN of Mississippi introduced a bill (S. 5532) for the relief of Sally G. Billups; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5533) for the relief of Mrs. Almira Patrick; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. MCENERY (by request) introduced a joint resolution (S. R. 90) authorizing proper officers of the Treasury Department to examine and certify claims in favor of certain counties in Arizona; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO BILLS.

Mr. McMILLAN submitted an amendment proposing to appropriate \$25,000 to aid in the reconstruction of the building for the National Homeopathic Hospital, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. FORAKER submitted an amendment proposing to appropriate \$2,000 for reconstruction of stone wall inclosing the Confederate Cemetery at Camp Chase, Ohio, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. FORAKER subsequently reported favorably, from the Committee on Military Affairs, the foregoing amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (S. 3342) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (S. 1220) to prevent the desecration of the flag of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also submitted an amendment proposing to allow retired enlisted men in the Army \$7.50 per month as commutation of fuel and quarters, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. CLAY submitted an amendment intended to be proposed by him to the bill (H. R. 3641) for the allowance of certain claims for property taken for military purposes within the United States during the war with Spain, reported by the Secretary of War in accordance with the requirements of an item contained in the sundry civil appropriation act, approved June 6, 1900, authorizing and directing the Secretary of War to investigate just claims against the United States for private property taken and used in the military service within the limits of the United States, etc.; which was referred to the Committee on Claims, and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate \$1,200 to pay the salary of the clerk of the Board of Inspection and Survey, Navy Department, intended to be proposed by him to the naval appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Naval Affairs.

SAFETY OF EMPLOYEES AND TRAVELERS UPON RAILROADS.

On motion of Mr. FORAKER, it was

Ordered, That the bill (S. 3560) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, and amended April 1, 1896, be reprinted.

CONFERENCE OF AMERICAN STATES.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, submitting the report, with accompanying papers, of the delegates of the United States to the Second Conference of American States, held at the City of Mexico from October 22, 1901, to January 22, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, April 29, 1902.

AGREEMENT WITH INDIANS OF ROSEBUD RESERVATION.

Mr. PLATT of Connecticut. I ask that we may take up Senate bill 2992, the first bill on the Calendar under Rule VIII, and that the discussion may proceed without the five minutes' limitation.

The PRESIDENT pro tempore. The Senator from Connecticut asks that the Senate proceed to the consideration of the bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriation to carry the same into effect, and that the debate upon the bill shall not be subject to the limitations of Rule VIII. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The bill has been read at length as in Committee of the Whole.

Mr. GAMBLE. The amendment offered by the Senator from Connecticut [Mr. PLATT] is pending.

Mr. PLATT of Connecticut. When the bill was up before, I proposed an amendment, which does not appear on the bill. I have not the amendment with me. If I could find the RECORD I would turn to it.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 3, page 6, line 18, after the word "acre," strike out down to and including the word "that," in line 25, and insert the word "and;" so that the additional proviso, if amended, would read:

And provided further, That the price of said lands shall be \$2.50 per acre, and homestead settlers, who commute their entries under section 2301, Revised Statutes, shall pay for the land entered the price fixed herein.

Mr. PLATT of Connecticut. At the request of the Senator from North Dakota [Mr. McCUMBER], I yield to him for a few moments.

FOOD ADULTERATION, ETC.

Mr. McCUMBER. Mr. President, I should like to have unanimous consent that Senate bill 3342, which is the pure-food bill, be taken up after the routine morning business, upon the final disposition of the bill now under consideration, and proceeded with without limitation of debate. I do not understand that such an arrangement will interfere with any other bill.

The PRESIDENT pro tempore. There is a unanimous-consent agreement in regard to the union railroad station bill.

Mr. McCUMBER. I wish Senate bill 3342 to follow that and the bill now under consideration when those bills are disposed of. I ask that it may follow Senate bill 4825 after the disposition of Senate bill 2992, which is now under consideration.

The PRESIDENT pro tempore. The Senator from North Dakota asks that Senate bill 3342, the pure-food bill, may receive consideration in the morning hour after the union railroad station bill and the present bill are disposed of. Is there objection?

Mr. KEAN. Not to interfere with appropriation bills.

Mr. PLATT of Connecticut. The appropriation bills always have preference.

Mr. McCUMBER. Of course those, I suppose, will take precedence anyway.

Mr. JONES of Arkansas. What is the proposition?

The PRESIDENT pro tempore. The request is that the pure-food bill, so called, may receive consideration in the morning hour after the union station bill is disposed of and after the bill which is now before the Committee of the Whole is disposed of.

Mr. JONES of Arkansas. The proposition, then, is to make a regular order by unanimous consent to take up the morning hour for a number of days to come.

Mr. McCUMBER. I do not think it will take the morning hour for any great length of time.

Mr. JONES of Arkansas. When the time comes to consider the bill I shall not object to taking it up for consideration, but I do not believe we ought to have an agreement of this sort made by unanimous consent. The Senate is not now half full.

The PRESIDENT pro tempore. Objection is made.

Mr. McCUMBER. I wish to say to the Senator from Arkansas that the bill will come up in its regular order on the Calendar to-day, and I wish to have such an agreement made at this time instead of waiting until it is reached.

Mr. JONES of Arkansas. I am perfectly willing that it shall come up then.

Mr. RAWLINS. Will the Senator from North Dakota yield to me for a moment?

Mr. McCUMBER. Certainly.

Mr. RAWLINS. I wish to make a personal explanation.

Mr. PLATT of Connecticut. Let us settle this matter first.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from North Dakota.

Mr. McCUMBER. That disposes of it?

The PRESIDENT pro tempore. That disposes of it. Does the Senator from Connecticut yield to the Senator from Utah?

Mr. RAWLINS. I ask the Senator to yield for a personal explanation.

Mr. PLATT of Connecticut. Not to take long?

Mr. RAWLINS. Only a minute or two.

Mr. PLATT of Connecticut. Very well.

PERSONAL EXPLANATION.

Mr. RAWLINS. Mr. President, on Thursday last the Associated Press reported that I had charged, in my speech in the Senate, General Chaffee with being a dastard villain, who had brought disgrace upon the American name and the American people. Usually the press is very accurate and fair, but in this instance it failed to properly interpret the meaning and intention of my words. I spoke extemporaneously and without notes, but the following is an exact copy of my language as taken down by the Official Reporter and transcribed by him:

I am unable to fix the responsible head and emanation of these barbarities, which would disgrace the annals of even a semicivilized country, not to speak of the nation which claims to hold aloft the escutcheon of honor and justice and fair dealing. Did Chaffee alone, unaided, in coldness and in brutality, and in savage and unrelenting disregard of every humane sentiment or possibility of human suffering, conceive this iniquitous scheme? Whence? From what diabolical source was it derived? The American people ought to know. Is there any penalty beneath the sun adequate to be meted out to the dastard villain who has thus brought dishonor upon the American name and the American people?

I fear, Mr. President, that there has grown up in our midst a little cabal, a coterie of military upstarts and parvenus, all unconsciously to the great, broad-minded, humane people constituting the American Republic, within gunshot almost of where I now speak, who are the authors of all these things, and upon whom the responsibilities of these iniquities ought justly to be made to rest. I am loath to hold up to criticism the men who take their lives in their hands and go out and fight the battles of the Republic, who are willing to take upon themselves those responsibilities which may end only in death or in honor. I am unwilling, without conclusive proof of the fact, to presume that any one of the men who have gone out and have actually done battle in the Philippine Islands ever conceived this line of policy which has recently been carried out there.

Mr. President, it will be noticed that I did not make the charge against General Chaffee imputed to me. I did not intend to make such a charge. I do not think I could truthfully speak of him as a dastard. The Associated Press unintentionally has done both him and me an injustice, which, I have no doubt, it will be glad to correct.

AGREEMENT WITH INDIANS OF ROSEBUD RESERVATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriation to carry the same into effect.

Mr. PLATT of Connecticut. Mr. President, this bill and the amendment which I have proposed to it present a very serious question of our public policy. I regret that other matters have so engrossed my attention that I am not particularly prepared to present the question which is thus raised. I may say in the outset that the question involved here means a great many millions of Government expenditure if it should be decided in one way, and it incidentally affects our whole Indian policy.

This is a bill for the opening of the Rosebud Reservation in South Dakota. I do not remember at this time the exact number of acres which are thus to be opened by the bill, but the price to be paid to the Indians is something over a million dollars. The question is whether the Government, in opening the lands to settlement, shall give the lands thus purchased from the Indians to the settlers under the homestead law, or whether it shall require the settlers who take up these lands under the homestead law to pay for them a sum per acre equivalent to what the Government pays the Indians for them. In other words, in opening the Indian reservations which already remain, what is to be the policy of the Government? Are we to pay the Indians a high price for the lands which we obtain a cession of, and then give those lands to settlers free of cost, or shall we require the settlers to pay as much for the lands as will make up wholly for the amount which we have paid for them? That is the question, and Senators will see that it is a far-reaching question.

I do not know how many million acres still remain in Indian reservations which must in the future be opened to public settlement, but there are many millions, and, at the rate we have been paying the Indians under the agreements made with them for such lands, the amount to be expended in the not very distant future will run up into the millions. At a rough calculation I would say that probably the Government in opening the reservations already existing and paying the Indians for the lands at the rate which we have been paying under the agreements negotiated with them will expend somewhere in the neighborhood of \$50,000,000. That may be over or under the mark, but approximately and for the purpose of presenting this question it may be assumed as a fair statement.

Now, shall the Government pay these millions of dollars to acquire the Indian title and give away the lands to the settlers, or is it but just that if settlers require these lands they shall pay for them per acre the same which the Government pays to the Indians?

It has seemed to me, Mr. President, that there is no injustice whatever in asking a settler who may go upon the lands thus acquired from the Indians to pay for them what the Government pays the Indians. I am not satisfied that the Government has been doing the right thing in paying to the Indians the high prices which it has agreed to pay for the lands thus acquired. Of course, the Indian title is an occupancy title; it is not a title in fee. The title to these lands is in the Government of the United States, subject to whatever rights the Indians have, whether by treaty or otherwise, to hold the lands so long as they remain a tribe and occupy them. There is no question about the nature of the title. If the Indian tribe became extinguished or ceased to occupy the lands they would be Government lands and belong to the public domain.

Now, it seems to me that in negotiating with the Indians for the cession of their reservations the Government ought not to pay them what those lands are worth in fee, or indeed anything approaching it, but that they should be negotiated with upon the theory that their title is worth what the lands are worth for their occupation and without reference to the enhanced value which has come to be put upon the lands in fee on account of the settlement of the country surrounding the Indian reservations. But another policy seems to have prevailed.

Of course it goes without saying that where there is an Indian reservation all the settlers upon the public lands in the vicinity of that reservation are anxious to acquire the lands which are not needed by the Indians, and so there is a pressure that each Indian should have an allotment of lands of 160 acres, or as the case may be, and that then the remaining lands should be open for settlement. That pressure is very great. It presses upon every Indian reservation. The reservations are now within the States largely.

The State of South Dakota has, I think, something like 8,000,000 acres of land still contained in Indian reservations, and in other States and in the Territories there are other quantities of land in reservations.

Now, the pressure for the opening of this land is great. I do not think anyone who does not live in the vicinity of those reservations understands how great it is. Therefore, it is insisted that the Interior Department shall negotiate with the Indians for the opening of the reservations, and a bill passes here without any consideration at all directing that the Secretary of the Interior shall negotiate with this or that tribe of Indians for an agreement for the allotment of their lands and the ceding of their surplus lands to the United States, and a commission goes there for that purpose.

Indeed, we have a general bill which has been passed without much consideration providing that the Interior Department may send an inspector to negotiate with the Indians for the opening of the surplus lands of the reservations to settlement, and then the settlers and Senators representing the inhabitants of the States press the Interior Department to hurry up the negotiations, and a commission or an inspector is sent out to negotiate with the Indians, the result of which is that the Indians say, "Why, these lands are worth five, ten, fifteen, twenty dollars an acre. Look over there, just on the other side of our reservation, you can not buy any lands for less than that sum, and we must have what the lands are worth." Then the inspector or the commission feeling that an agreement must be made, negotiate as well as they can with the Indians, and when they get them down to the lowest price it is accepted, and an agreement is sent here to be ratified.

Now, this particular agreement comes here to be ratified upon a payment to the Indians of about \$2.50 an acre for the surplus lands within their reservation which are under the agreement to be ceded to the United States and become part of the public domain. The Indians in negotiating said that was not a fair price for the lands and they were worth a great deal more, but finally the negotiation was concluded. The agreement comes here. So far as the Senate considers it, it is an agreement to open a reservation—to pass ordinarily without any particular examination or any thought of the consequences to the Government in the matter of expense. I will not go into the history of the negotiations as to these lands, but the price paid or agreed to be paid to the Indians is \$2.50 an acre for the entire acreage which is to be brought under the public domain by cession to the United States.

The bill proposes that the land thus acquired shall be open to homestead settlement without requiring any payment for the land settled upon from the settler. My amendment proposes that the settler shall pay \$2.50 an acre, being the same which the Government has agreed to pay to the Indians, and that thus the Government shall be reimbursed for the amount expended for the purchase.

Mr. President, this is said to be in opposition to a policy of the Government supposed to have been declared when we passed last year what was known as the free-homes bill, and that opens a large question. Before I come to that, however, I wish to say that we have already passed two bills in the Senate in which there was incorporated a provision that the settlers should pay to the Government for the land settled upon a sum equivalent to that which had been paid by the Government to the Indians for opening the reservations. The Devils Lake Reservation was one of them, at \$3.50 an acre, and the other, which was passed on the motion of the Senator from Minnesota [Mr. CLAPP] the other day, was the Red Lake Reservation, at \$3.90 an acre.

The Senate has, then, in the passage of those two bills adopted the principle which I ask to have adopted on this amendment. It is but fair to say that it has passed one bill, for the opening of the Crow Creek Reservation, in which no such provision has been made. If Senators ever remember what other Senators have said they would remember that when that bill was under consideration I called attention to it, but under the circumstances I did not at that time propose such an amendment as I have proposed to the pending bill.

Now, coming to the question whether by the passage originally of the homestead act and by what has been more recently known as the free-homes bill we are bound to buy lands from the Indians for settlement and then give those lands to the settlers or not, I have some observations to make upon that subject. I can not see what obligation there is upon the Government on account either of the homestead act or the free-homes bill to continue the policy of buying lands from the Indians to give to settlers any more than to buy them from citizens of the United States to give to settlers.

I can not see why we should spend a million dollars to buy Indian land and then give it as a free gift to anybody who chose to settle upon it any more than we should spend a million dollars to buy the farms of citizens in Connecticut and South Dakota or in any other State and give those lands to people who desire to settle

upon them. I can not see how in South Dakota we should buy lands from Indians on a reservation, paying a million dollars for them, and then give away those lands to settlers any more than we should pay a million dollars to people residing just off the reservation for the purchase of their farms and give the land thus acquired to people who desire to settle upon it. Neither the homestead law nor the free-homes bill commits the Government to any such policy as that.

Now, we go back to the homestead law. At the time the homestead law was passed we certainly had not been buying lands for the purpose of giving them away to settlers. Certainly that had not been the policy of the Government up to that time. We had been extinguishing Indian titles in the West at a very moderate price, sometimes as low as 5 cents an acre and even less. We had been extinguishing the Indian title until we had acquired a vast domain of public land which was then being sold.

I do not know that I can state exactly what the old laws were, but up to the time of the passage of the homestead act the Government had been selling lands or offering them for sale at a specified price, and if the price was not obtained opening them under what is called the preemption laws, allowing people to enter upon them. Up to the time of the passage of the homestead act we had certainly not been buying lands to give away. Neither did we do it under the homestead act. We had the lands. They had been acquired, not for the purpose of immediate settlement, but for the purpose of extinguishing the Indian title and holding the lands as a part of the public domain.

Then came the agitation of the proposed homestead law, and it passed. It dealt with and had reference to a great bulk of public land which we had thus acquired, which under our policy of sale had not netted the Government as much as it ought to have done, and in regard to which there had been great frauds and speculators had acquired large portions of the public domain without paying any very adequate price for them.

Then the homestead act was passed, and the lands were taken up under the homestead laws, which required a settler in order to obtain final title to his land to live upon it and cultivate it for five years or to commute it at a specified rate. That policy was continued from 1862 up to 1880. I do not think that during all that time it can be said that any lands were bought of the Indians for the purpose of immediate settlement.

But in 1880 there were a large number of Indians roaming over the State of Colorado. The bands of the Confederate Ute Indians were occupying very large portions of the State and negotiations were had with those Indians by which they agreed, without going into particulars, to surrender their claim—their title to lands in the State of Colorado—and to remove southward into Utah and elsewhere, under an act of Congress, by the terms of which the lands thus surrendered by the Indians should be sold and the Indians paid for them at the rate of \$1.25 an acre, and that the settlers, when they took the lands, should pay \$1.25 an acre to the Government.

That, to my mind, changed the policy of the Government, and we adopted a new policy; that is, that when we bought lands from the Indians and opened them to settlement, we would require the settlers to pay the Government for them as much as the Government had paid to the Indians. Colorado has been settled under that act, and the settlers have paid \$1.25 an acre for the land, and that money has been passed over to the Confederate bands of Ute Indians. That policy continued up to the time of the opening of public lands in Oklahoma and in South Dakota. We went forward, and we paid the Indians large prices for their lands.

It will be remembered that as to the Cherokee Strip, we paid, I think, an average of \$6 an acre for those lands; and for lands occupied by Indian tribes in Oklahoma we paid all the way from \$1.25 to \$2.50 and even \$3 an acre.

In the act which opened those lands to settlement there was a provision that the settlers should pay to the Government a certain price per acre, which was enough to reimburse the Government. That went on in South Dakota and in other places, and wherever land was purchased from the Indians it was required in the act which opened the land for settlement that the settlers should pay enough to reimburse the Government.

Senators will remember the agitation which arose for the remission to the settlers of the money which they had agreed to pay in settling upon these lands in Oklahoma. The question arose first in Oklahoma. It was put upon the ground, not so much that the Government ought to buy lands from the Indians, and then give them away, as upon the ground that these lands belonged to the subarid region, and that it was impossible for the settlers upon them to make off of the farms, upon which they had thus settled, money enough to meet their obligations to the Government. Senators will remember the maps which were brought in here, on which the arid and subarid regions were pictured, to show where the settlers had gone. The demand that

the obligation should be released in Oklahoma was taken up in South Dakota, so as to embrace all the lands as to which this policy had prevailed, of requiring payment from the settlers to reimburse the Government. As in various other cases where great pressure is raised, that bill was passed. The people interested in it got it into the platforms of both political parties, where, of course, very little was known as to the effect of it, and the bill finally went through the Senate.

Shortly after the bill passed the Senate there came a change in the estimate of the value which was placed on these lands. I think I am not mistaken in saying that within a year after the free-homes bill passed the school-fund commissioner of Oklahoma made a report in which he said the average value of the land belonging to the school fund in Oklahoma was \$30 an acre.

We have been told that on account of the subarid conditions it was impossible for the farmers or settlers upon these lands ever to discharge their debt to the Government, and the time of payment has been extended and extended year after year because they could not meet their payments. But immediately after we passed the bill they began to boast of the value of their lands.

Very soon after the passage of the free-homes bill, indeed, at the time of its passage, there was an act providing for the opening of the Wichita Reservation, and in that act, as in the other acts we have passed, there was a provision that the settler should pay for the lands he took, so as to reimburse the Government. Those lands had not been opened at the time of the passage of the free-homes bill, and so that bill did not apply to them; the settlers were not released from the obligation to pay a dollar and a quarter an acre for those lands, and that law stands. Those lands in the Wichita Reservation have not been taken up under the act requiring the settlers to pay \$1.25 an acre for the lands settled upon.

I think, Mr. President, that is true with regard to the opening of the Kiowa and Comanche Reservation. It will be remembered that there was such a rush for those lands that the question had to be determined by lottery, and that, I imagine, will be the case with reference to the lands referred to in this bill. There will have to be some method to determine as to how the settlers shall take the lands.

When we opened the Colville Reservation, if I am not mistaken, we required the same policy to be pursued; that is, that the settlers should pay for the lands.

So, since the passage of the free-homes bill up to the time of the passage through the Senate of the Crow Creek Reservation bill, we have been insisting that the settler should pay a sum sufficient to reimburse the Government for the land he takes. As I said before, I see nothing inconsistent with either the policy of the homestead law or the policy of the free-homes act in that respect. It is true that the question of free homes was talked about at the time of the passage of that bill; but that was not a bill to buy land of the Indians at full prices and then give the lands away to settlers. It was to release the settlers from their obligation to pay the Government what they had agreed to pay in taking up the lands. It was put, in the first instance, upon the ground of their inability to pay the amount. So that this comes up as a new question. It has got to be settled now, and as it is settled now it will probably remain the policy of the country.

We gave away to the people who had settled upon Government lands, under an understanding and agreement that they were to pay for them, a good many million dollars—say \$20,000,000—and it has been stated to be a larger sum than that. I put it within bounds when I say that we released to them \$20,000,000. If that was right—if the settlers were entitled to free homes without paying the Government for the land what the Government had paid to the Indians—we ought not to stop there, but we ought to refund to the people who have settled Colorado a dollar and a quarter an acre; we ought to refund to the people who have settled the Wichita Reservation their dollar and a quarter an acre, and wherever at any time we have required that settlers should pay for the lands thus opened we ought to refund to them the price paid. It is just as much our duty to do that as it was our duty to release from their obligations those who had made agreements with the Government. We should make no distinction, as it seems to me. But that is neither here nor there. The question is, What are we going to do in the future?

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. PLATT of Connecticut. Certainly.

Mr. SPOONER. I came into the Senate Chamber while the Senator was speaking, and he may have referred earlier in his remarks to the point concerning which I should ask him a question. I ask the Senator if there has been any estimate of the number of acres in the reservations yet to be acquired from the Indians in this country which will probably call for a determination of this question of policy, whether we shall continue to do what we have done, or stop?

Mr. PLATT of Connecticut. I said in the opening that I had not any accurate figures, but I thought it was safe to say that we had still remaining Indian reservations, which were in the near future to be opened to settlement, which would cost the Government in the neighborhood of \$50,000,000.

Mr. COCKRELL. How much did the Senator say?

Mr. PLATT of Connecticut. Fifty million dollars. I should like the opinion of the Senator from Missouri on that. I am not speaking accurately.

Mr. COCKRELL. I have been looking for the exact data, but I have not been able to arrive at the precise sum. It is, however, a large sum—many millions.

Mr. PLATT of Connecticut. Take the State of South Dakota. We are paying her \$3.50 an acre for these lands, and they have remaining something like 8,000,000 acres. That is \$20,000,000 by itself. If we continue to open up lands at the same rate and we continue paying to the Indians for these lands, it is a question of \$20,000,000 for the State of South Dakota; and I think that, running through my mind other reservations, I am entirely within the limits when I say that if we go on paying the Indians at the rate we have been paying them for their title, the Government will expend in the very near future at least \$50,000,000.

Mr. President, there is really no necessity for this. It will be observed that the taking up of these lands, thus purchased from the Indians and thrown open to settlement, has become very much of a lottery. There is a rush for them, with the "devil take the hindmost." The opening of the Oklahoma Reservation, the Cherokee Reservation, was not so long ago but that the circumstances attending it are in the recollection of Senators. People camped for months on the borders of that reservation, and we were required to send troops down there to prevent the people going in until the time came for the President's proclamation, when they could go in, and then there was a mad rush to get the best lands, with the usual result of a whole crop of claims of fraud in getting upon those lands. Then came the opening of the Kiowa and Comanche Reservation only last year, where similar scenes would have been enacted if it had not been that the Government established a kind of lottery there, and the applicants drew lots as to who should have the first opportunity to make settlement.

So the settlement upon those lands, thus acquired from the Indians, has come to be largely professional. The first push for them is by people who think they are going to make something and get something for nothing. So that in the settlement of these lands it has come to be well known that there are three classes of settlers upon the public lands, first, the professionals, who rush in and through their smartness acquire valuable holdings, with the intention of disposing of them just as soon as they can; second, the people who remain behind, who do not get in at the first rush, and who buy from the speculators and the professional settlers who get in in the first rush. They may be called the middlemen. Finally the land is sold to the real settler, who goes there to make a home and get a living off the farm. Am I not right about that?

Mr. President, why should this be? Why should we buy land from the Indian, giving him practically the value of his land, as if he held it in fee simple, then open it to settlement under the homestead law, and give it to the man who can first get onto it. Any more than we should buy land from the citizen adjoining the reservation for the same purpose? I do not know but that I have said all I desire or need to say upon this subject. I wished to place the matter clearly before the Senate as it seemed to me. Certainly we have got to do one of two things. We either must, I think, having the interest of the Government in view, stop paying these high prices to the Indians for their land, or we must require the settlers to reimburse the Government.

In regard to that subject, there is a sentiment in the country which holds amongst philanthropists and humanitarians that we ought to pay the Indians what their land is worth at the present time, upon the idea that it belongs to them. I do not share in that idea. I think that when we make an Indian tribe rich we delay its civilization. The easiest Indians in the country to civilize are the blanket Indians, and they have no money, no funds, no lands, no annuities. The Indians in this country who make the most rapid advance toward civilization and citizenship are the Indians who have not any great funds to their credit in the Treasury. The hardest Indians to civilize or to start on the road to advancement to civilization are those who have the largest funds in the Treasury to their credit.

I might illustrate by the Osages, whose fund is the largest per capita of any Indian fund—indeed, the Osage nation is per capita the richest community in the world if their lands and their funds were to be divided among them per capita. It is and has always been utterly impossible to break up their tribal customs or to change their tribal habits or to get them to cultivate the land to any extent. They simply regard themselves as rich people who are under no obligation to work. I remember, when visiting their

reservation at one time, I said to one of them, through an interpreter—a very intelligent Indian, I thought—"Why do not you Indians take up these lands in small holdings, cultivate them, raise wheat, corn, and vegetables, have some stock, and farm the lands as men in my country farm?" "Why," he replied to me through the interpreter, with an air of superiority, "sir, do your rich men work?"

So, if not impossible, it is almost impossible, to change the habits and customs of the Indians if they have large funds from which they can draw annuities.

I do not want to extend these remarks on the Indian policy in the discussion of this bill; but, as I said, either one or the other policy I have indicated ought to be pursued. We ought not to recognize the fact in dealing with the Indian for the opening of his reservation that he can claim that the land which he cedes to the Government should be paid for at its full value, or we ought to require that, if we are obliged to pay, and do pay, full value or what approximates full value for the land, the Government should be reimbursed.

There is another feature of this case which I wish to present, and which I think should commend itself to the Senators from South Dakota. We have passed here an irrigation bill, and passed it unanimously in the Senate. Its friends—and I think we are all its friends—desire that it shall prevail in the other House; but whether it does or not at this session of Congress, it is apparent that in the near future the Government is to take the money derived from the sale of public lands and apply it to irrigation purposes. But the Government lands from which money can be derived to be applied to irrigation purposes are pretty much gone. It is the lands which are to be acquired by the opening of these Indian reservations upon which our irrigation friends must rest for their hope that they will acquire any large money from the Government lands for irrigation purposes.

If we make the settlers reimburse the Government for what it has paid the Indians for their lands, what is the result? The Government is going to get back the money, to be sure, but it is going to take it immediately and hand it over for the purposes of irrigation. I do not know how it is in South Dakota, but I think South Dakota is one of the irrigation States in which it is proposed to take the money which is derived from the sale of the public lands and apply it to that purpose. I think this view of the subject should commend itself to those Senators who wish to commence and to extend the irrigation of the arid lands. I think the necessity of enrolling those arid lands by irrigation is just as great, to say the least, as the necessity of opening lands not needed to be irrigated to free settlement.

Mr. DUBOIS. Mr. President, it seems to me there is only one thing to do in this case. When the free-homes bill was passed, it set a precedent which I think we are almost bound in honor to follow. I had the honor to be the chairman of the Committee on Public Lands when the free-homes bill was being pressed. I was opposed to it, and I was opposed to it to such an extent that the Senators interested took it out of the charge of the Committee on Public Lands and passed the bill through the Committee on Indian Affairs, where it did not belong. Some Senators, as you know, were very much interested in it.

I was opposed to the free-homes bill unless it should be applied to future reservations as much as to those which had already been opened; and that was, I think, a perfectly logical and sound position. Now we are again confronted with the question, and we shall be confronted with it every time we open an Indian reservation. The argument in favor of the free-homes bill seemed to be sufficiently sound. At any rate, it convinced both branches of Congress, and the bill was passed.

The Senator from Connecticut [Mr. PLATT] speaks about the settlers reimbursing the Government. The reason the free-homes bill was passed was that the settlers could not reimburse the Government. A commission is sent out, for instance, to conduct negotiations with a tribe of Indians for the relinquishment of certain of their lands on the reservation. All the settlers near by, and more especially if there is a town adjacent, are exceedingly anxious that a treaty shall be made. The Indians understand this perfectly well, and they put a price on their land which is far beyond what it is worth to anybody. Here is this pressure from all sides, from the settlers, naturally enough, to have these lands opened, thinking that it is going to build up the country at once, and they urge the commissioners to make any trade they can. After four or five conferences the commissioners make an agreement with the Indians and bind the Government to pay them more for the land than it is worth. In the past the settlers have gone in and taken all these lands and found out that they could not pay for them. Every Senator here from the middle West is old enough to know that when a man goes upon public land and reclaims it it costs him sufficient money without paying anything in addition for the land. It is a very hard matter to reclaim wild lands, whether they are timber lands or sagebrush

lands. It requires a sufficient expenditure without anything added.

We have an illustration in my State, and I thought the Senator from Connecticut was going to mention it. When the free-homes bill was passed, at the same session, but a little later, we opened up a reservation in Idaho—the Fort Hall Reservation—a large section adjacent to a town of five or six thousand people. I recollect going down and addressing the Indians myself.

Mr. SPOONER. In what language?

Mr. DUBOIS. In their native language—through an interpreter. [Laughter.]

We were very anxious to have these lands opened up adjacent to this town of five or six thousand people. The town is the center of the Indian reservation. The commissioners made an agreement with those Indians by which they were to pay \$15.75 an acre for some of their lands. They were to pay \$10 an acre for land lying along a water course, \$5 an acre for perpetual water rights, and 75 cents annually for maintenance charges. The people will not take up that land. The proclamation opening the reservation will be issued in a month probably, and I know very well what will happen. The people, just as soon as they have taken the land, will appeal to Senators and Representatives in Congress to have the free-homes act applied to them; and that will be the case in almost all of these reservations.

Mr. PLATT of Connecticut. May I ask the Senator a question?

Mr. DUBOIS. Certainly.

Mr. PLATT of Connecticut. Does the Senator think we ought to go so far as that—when we open up irrigable land and require the settlers to pay for the improvement and irrigating the land we ought then to refund that money to the settlers?

Mr. DUBOIS. No; I do not go so far as that. I think in that case a fair price should be fixed or the land sold to the highest bidder. For the other lands in this reservation, which are entirely outside of it, we have to pay \$3.75 an acre; but the Government had already built this canal; it is Government property, and the Government owns it. In the States of Wisconsin, Indiana, Illinois, and Iowa the public lands were given to the settlers.

Mr. SPOONER. The Government owned those lands.

Mr. DUBOIS. The Government owned those lands, and they were given to the settlers under the then existing land laws. You put the Indians on large tracts of lands in the Western States, and in our country, which we are now trying to settle up, you segregated large sections of land and put Indians on them. They got about as good lands as there were out there. And there is no reason—and this point was thrashed over and was the cause of the passage of the free-homes bill—why our people should not have these lands from the Government the same as the older States had their public lands.

Mr. PLATT of Connecticut. I do not wish to interrupt the Senator, but I think he will agree with me that lands in Illinois and Indiana and Ohio—

Mr. COCKRELL. And Missouri.

Mr. PLATT of Connecticut. Were not taken up under the homestead law. They were taken up under the preemption laws and paid for.

Mr. DUBOIS. I do not care how they were taken up. This proposition is to have the lands taken up under the homestead law, which is one of our public land laws. The lands in Missouri, Illinois, and so on, were taken up under the then existing land laws. I thoroughly agree with the Senator from Connecticut that we are paying too much for these Indian lands, and I am willing to go with him and adopt a policy of paying for the Indian lands what they are worth on a fair appraisement and paying no more for them, and not pay a fictitious price set by the Indians on account of the pressure from white men on the outside, and then turning these lands over to settlement under the homestead act. But I am very much opposed to making the settlers reimburse the Government for what it pays for the Indian lands, knowing as well as the Senator from Connecticut does that in every instance almost the commissioners appointed by the Government have fixed too large a price, and knowing, as we from the West do know from experience, that our settlers can not reclaim these lands and pay this price for them.

Mr. STEWART. Mr. President, there are many embarrassments arising from the unfortunate policy adopted in the early days in the treatment of the Indians. It was assumed that they were different from other human beings and that they would not work. That was not assumed in Mexico or South America, and the result there has been that the Indians constitute probably four-fifths at least, and perhaps nine-tenths, of the population; and they are good, honest, working people, and they have improved. It has not been assumed, either, in British Columbia. I was there a few years ago, and in Victoria I found the Indians of the same tribe that I had found on this side taking contracts, etc. It is a

mistake to believe that they will not do under like circumstances as other human beings will do. We commenced with the system of buying them off, of feeding them, of nursing them, of assuming that they would continue to be the wards of the country.

At an early day Chief Justice Marshall held that it was the policy of all European countries to disregard the title of the natives, and that discovery gave title to the country which made the discovery. It was said that the governments of Europe had title to the land and were not under the obligation of recognizing the native title, and it was not recognized in Spanish-American countries. It was disregarded, and the Indians were treated like other human beings who were poor and dependent and had to work for a living.

Wherever they have been thus treated the Indians have developed a great capacity for improvement. In my State I saw something of them before I came here, and I opposed reservations. I opposed the feeding of them. I claimed that the Indians were better off if let alone, and we find that is true. They are scattered all over the State in little camps. We find them at work and improving, and they are superior to other Indians. They are different Indians. Of course they are. They are very much superior. You can distinguish them at once from Indians who have been on a reservation. The reservation Indian has not developed at all. Go to the school at Carson, and you can very readily pick out the Indians who come from reservations from those who have been on farms and at work and let alone.

If we had adopted that policy in the beginning we would have had three or four or perhaps ten or fifteen million good Indians. Take human beings, particularly before they have been developed by civilization, and feed them, supply their wants, and they will not exert themselves to supply their needs. I remarked once of the people of this city that if they were surrounded by an army and could not go out of Washington for a couple of generations and were fed and nursed and cared for they would come pretty nearly down to the level of the ordinary Indian; that they would degenerate very rapidly. That is the way we have been treating the Indians.

Now, by Executive order a very large portion of the West has been reserved. We are attempting to open those reservations. Let me tell the Senate some of the difficulties we meet with. There are a lot of leases out. The men who want land for that purpose stand between us and negotiations—ranchers and such. There are men putting up a fancy price on the Government. There are speculators with the Indians. The Indians see the price of land adjoining theirs, where farms are, selling at a certain price, and they ask the same price, and they will always demand that price. Why should they not? They are fed anyhow; they are independent; they do not have to work for a living; they are in comfortable circumstances, and they can wait.

If the lands can be leased and they get the proceeds, while the Government is feeding and educating them, they are not under the common necessity to become civilized. If we continue the policy of letting the Indians fix a fancy price on these lands and we buy them and give them away we shall involve the Government not in \$50,000,000, but in more than \$100,000,000.

The question is whether that is wise policy. The Committee on Indian Affairs have been discussing it during the whole session. They have been discussing the question—what could be done under those circumstances; how far we are bound by the possessory title of the Indian to submit to his terms; whether the Government, having agreed to take care of the Indians, having some right to regulate the contributions it makes and the price it shall pay for the land—

Mr. SPOONER. Will the Senator from Nevada allow me?

Mr. STEWART. Certainly.

Mr. SPOONER. I desire to ask the Senator from Nevada if it be not true that the Indians have possessory title?

Mr. STEWART. No; not in the sense in which that term is used by the Senator from Wisconsin—possessory title which would give him affirmative rights. If a white man was in his position, going on and off the reservation when he pleases, would he get possessory title to 160 acres of land? The Indian is simply a wanderer.

Mr. SPOONER. Will the Senator allow me?

Mr. STEWART. Certainly.

Mr. SPOONER. If the Indian has not possessory title or the right of occupancy, which is the same thing, he has nothing to sell to the Government, has he?

Mr. STEWART. Oh, a sentimental right.

Mr. SPOONER. A sentimental right?

Mr. STEWART. Yes; and we pay a large amount of money for it. He has no other right but a sentimental right. He does not occupy the land. He goes off of it. He will not stay on the reservation. He does not occupy it at all. He does not have a possessory right in the sense of getting a possessory right to land by occupying it. He has not fenced it in. He has made no im-

provements. He goes there occasionally when he wants to and when he does not he stays away. That does not give a possessory right to the land in any legitimate sense. He has a sentimental right. It has been decided that the Indians have no title to the land.

We treat them as if they were our wards, and, I say, treating them as our wards and recognizing the fact that they may roam over this piece of land as long as it is not wanted for any other purpose, and having fed them and taken care of them as wards, never having sold them the land, never having given title but the sentimental title, to say we must pay them their price before we shall open the reservation, is going a long way toward barbarism.

Mr. SPOONER. How did the Indian get the right of occupancy?

Mr. STEWART. He never had it. He does not live on the land. It is only the sentimental right of which I have spoken. He gets that right in Philadelphia. He gets it from the Indian Rights Association, which has pauperized him. Those associations have killed more Indians than ever were killed by the sword, by feeding them and pauperizing and allowing them to become indolent and diseased and to perish from the face of the earth. The great murderers of the Indians are the Indian Rights Associations, I say, because if the Indians had been let alone there would have been millions of them. But you can not support a community and feed them and still have them independent. They are dependent upon you for food, and therefore they will not work.

Mr. SPOONER. I should like to be permitted to ask a question of the Senator from Nevada, who knows a great deal about this subject, as he does about almost all subjects. I do not want to vote to pay to anybody for nothing money belonging to the people, and if the Indians have nothing to sell I hardly think it is right, in the faithful discharge of duty to the people, to appropriate money received from taxation to buy it of them. I have always supposed if I had a right to occupy a farm as long as I lived or until I surrendered the right, that that right existed whether I lived on the farm or not.

Mr. STEWART. That is too technical for this purpose. It will not apply at all.

Mr. SPOONER. I am asking for information.

Mr. STEWART. I will give you the information if you will let me talk.

Mr. SPOONER. Certainly.

Mr. STEWART. I admit that they have a sentimental right, and that is the only right they have to the land. It was decided in the beginning that they had no title to the land. We undertook to take care of them, to make them our wards. They were permitted to occupy so much land. We did not give them title, and they ought not to hold it and they have not any right to hold it longer than is for their benefit. We have been educating them. We have supplied schools for them. We have supplied places where they can learn trades, and all that. We are trying to develop them into responsible human beings; and the great drawback is, as the Senator from Connecticut said, that they have money and they are rich and will not work. It is the money which is demoralizing them. There never was a dollar of money given to a hearty Indian that did not do him harm under any circumstances. There never was a time that it did not take from him part of his manhood and degrade them. Anyone can see the difference between those who have been degraded by being fed and those in the North and South who have not been fed. See how superior they are. That is the situation.

But this policy has been established, and we can not destroy it at once. I do not propose to do anything radical. I am in a responsible position as chairman of the Committee on Indian Affairs. I will not disturb a condition of things that has grown up and been established, but in dealing with this subject we ought to consider what is for the benefit of the Indians and not let them dictate our policy; not let them say, "We must have so much for this land or we will not sell it," when at the same time the Government is feeding his children and educating them.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER (Mr. FAIRBANKS in the chair). Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. STEWART. Certainly.

Mr. TILLMAN. Have we not had treaties with the Indians for two hundred years by which for certain considerations they have assigned to us as white people their title, whatever it might be, sentimental or otherwise? Does the Senator suppose we are going to change that policy now—

Mr. STEWART. No.

Mr. TILLMAN. And go to war with the remnants who are living—

Mr. STEWART. No.

Mr. TILLMAN. In order to finish up the job of murdering—

Mr. STEWART. No.

Mr. TILLMAN. And killing them all in order to get what little land is left?

Mr. STEWART. No.

Mr. TILLMAN. What does the Senator propose?

Mr. STEWART. I was speaking of the reservations in the West.

Mr. TILLMAN. Are not they there in consequence of treaties made by the Indians with the Government?

Mr. STEWART. Very few of them are of that kind.

Mr. TILLMAN. Whence has come the practice of buying the lands and giving the Indians the money or setting it apart here in the Treasury and using it to educate the Indians and build houses and do different things of that kind? Whence did the authority come?

Mr. STEWART. Congress assumed the authority.

Mr. TILLMAN. Congress assumed authority, under the Constitution or unwritten laws, which are just as binding.

Mr. STEWART. Unwritten laws can not be enforced against the Indians.

Mr. TILLMAN. I believe the Senator has disclosed here that old Western feeling, that there is no good Indian but a dead Indian.

Mr. STEWART. I beg your pardon. I have been a friend of the Indian always. Go to my State where the Indians are. They come to me as soon as I get there. They tell me their troubles, and I have been their friend; and I can say that our Indians are superior to those of any other Western State, because they have not been fed and kept in idleness. We have taught them something of the lesson that they must work.

Mr. TILLMAN. Will the Senator allow me?

Mr. STEWART. Certainly.

Mr. TILLMAN. Is it not because your State is so much of a desert that no white man wants to get in there at all and it is a wonder that Indians can live there?

Mr. STEWART. No; it is not that. We pick our white men.

Mr. TILLMAN. I am not casting any reflection upon the Senator or the citizens of Nevada. It would be against the rules to do that. I am merely asking the Senator for information.

Mr. PLATT of Connecticut. Mr. President, I wish to suggest, in all good nature, that the Senator from South Carolina is violating a rule of the Senate in speaking disrespectfully of a State.

Mr. TILLMAN. I have been thinking some one would draw that rule on me. I saw it torn to tatters by the junior Senator from New York [Mr. DEPEW], and nobody seemed to care about it; and I have seen it torn into tatters a half a dozen times since, and I did not think anyone would spring it on me.

Mr. STEWART. Nevada always receives such suggestions with indifference, because Nevada always considers the source, no matter what State it comes from. It is a matter of envy. We understand that.

Mr. TILLMAN. Will the Senator from Nevada allow me to apologize to Nevada for having even suggested that its arid condition and its heat and its sand and other undesirable qualities alone are responsible. I have great respect for Nevada.

Mr. STEWART. I will allow the Senator to apologize for his gross mistake in regard to Nevada. Nevada has numerous agricultural valleys which will compare favorably with any on earth. It has great agricultural capacity. She is situated away from the market. Ultimately, as the country develops, she will support a large agricultural population.

With respect to mineral resources, I do not think Nevada is equaled in the United States. We labored under disadvantages for a while. The Comstock gave out practically; silver was demonetized, and our people were engaged in silver mining, and did not take to other business very readily. It took some time. Besides, there was in San Francisco a board of stockbrokers who told people there was nothing in Nevada but the Comstock. The Californians kept away. We worked under great disadvantages for years.

I am happy to inform the Senator, and also the Senate, that within the last eighteen months there have been important mineral discoveries made in nearly every county in my State, and some of the richest mines ever known have been discovered. It is not confined to gold or silver or copper or lead, but it contains all the minerals. It is a great mineral State and is forging to the front very rapidly, and instead of sneering at Nevada he will find the people of South Carolina emigrating there very rapidly in the near future. There is no doubt about that. People are coming there from every State in the Union. Nevada will be the pride of the Union. She has produced, it is estimated, about eight hundred millions of gold and silver with her small population. I am glad to have this opportunity to speak for Nevada. It has been reported by the agents that Nevada has the best Indians of any State in the Union, and it is because her people have allowed them to be industrious and have not fed them. They have not been pauperized.

The question is presented right squarely here, Shall these mil-

lions of acres of land which have been withdrawn—because they have all been withdrawn without any treaties—for the temporary occupancy of the Indians, whom we are feeding, remain shut up from population, and the people be taxed to feed the Indians in idleness, or shall we make reasonable arrangements with them? Shall we take care of them as intelligent people shall? Shall we reduce the sentimental right they have to a practical right? The Indians do not need the lands. Why should two or three hundred Indians have four or five million acres of land which they do not cultivate, which they do not utilize, when there are white people around who want homes? Those same white people, poor as they are, are taxed to feed the same Indians. Why not utilize the land which the Indians have? Why not let civilization have some show and not allow sentiment and prejudice and folly and bribery of the Indians to pauperize them? That has been the policy too long.

I shall not do any act or cast any vote against the policy of the Senate. As a Senator I shall go with the policy of the Senate. If it is the policy of the Senate to tie up these lands until the Indians shall consent to sell them at an enormous price, and in the meantime we shall continue to educate the Indian children; if we are to treat the Indians as our wards, while not exercising any of the power of a guardian over them, but upon the other hand allow the ward to dictate to the guardian, I will be governed by the policy. The policy of allowing the Indians to put a fictitious price upon lands valuable to the surrounding whites and which the Indians will not occupy, when they are merely put there temporarily, while the Government is the guardian and takes care of them, will result in much evil and much embarrassment. Much fraud and embarrassment exist now.

I wish to call attention to one point. These lands ought to be opened. There is no doubt about that. In the condition in which the Indians had them, and if it had not been for the labor of the whites, they would not be worth 5 cents an acre. I think we are paying a pretty large price for these lands. We have passed one or two bills in which I thought the price fixed was reasonable. The one in Montana was very reasonable, and the North Dakota Senators have had some rich lands there, and they consented to an arrangement. If the Government pays this price for the land and gets nothing back, it is simply one of the hardships. There are plenty of other cases. There are millions of acres of land in this situation. You have to meet it. As the Senator from Connecticut says, there is a great question involved, and it should be met soberly. Think about it and get at it and do right. Do nothing to offend the Indians. Do nothing that will violate any right.

Mr. CLAPP. Mr. President, it seems to me that this discussion has drifted somewhat from the real subject-matter under consideration. There is no use in discussing the past policy with reference to the Indian question. We are confronted with a condition. The Indians hold their reservations under treaties, and there is not any use in beating about the bush. We are met primarily by the proposition, Can the Indians dictate the price which the Government shall pay for the reservations? If they can, then it is idle to say that we pay too much or that we ought not to pay what they demand. They are either in a position, owing to their title under the treaties, to demand a price or they are not; and there is no halfway ground with reference to these treaty rights.

Mr. President, the people of the United States must gradually absorb these reservations for two reasons. In the first place, it must be done for the benefit of the Indian himself, for it is demonstrated by experience that the more rapidly the Indians are separated the better it is for the Indians. Then civilization demands that the reservations shall be gradually absorbed. So I say we have to contemplate the acquisition of these reservations, and the Senate is not ready, nor is the House ready, nor is public opinion yet ready, whatever may be the abstract right of the Indians, to ignore that right and say that we may proceed upon our own motion to acquire the reservations. It seems to me that that absolutely disposes of the question, not only with reference to this treaty, but other treaties, whether we pay too much for the lands or not. In each case the question must present itself whether the interest of the Indians and the interest of the people warrant the price paid; or, in other words, warrant the opening of the reservation.

Now, when we come to the disposition of the lands thus acquired, it seems to me that we do not stand at the threshold of the adoption of a policy and that no question of policy is concerned, for the reason that in every one of these reservations the value of the land depends upon the surrounding circumstances. It was only last week, I think, that we secured the ratification of a treaty with Indians in northern Minnesota, where we most gladly permitted a price to be put upon the land in its sale to settlers, because that reservation was surrounded by a settled community and the land had a value beyond ordinary public land. The land itself was valuable in its own character.

There may be another reservation entirely separate and distinct where the land around it has not been taken, where settlement has not given the land in the reservation a value, or where the character of the reservation itself is such that it does not possess inherently any value.

So it seems to me, Mr. President, it is not the adoption of a policy and it has no reference to the free-homestead policy whatever, but it is a simple proposition whether as to this reservation or that reservation we should make the land free or whether we should put a price upon it. It seems to me that as to this reservation, in view of the situation of the land, in view of the want of settlement around it, in view of the want of value in the land itself, it would be a mistake to place a price upon the land, and therefore we should put the land upon the free list independent of and without any reference to any policy whatever. The opening of each reservation should stand upon its own merits and be determined by the conditions and circumstances which surround it.

Mr. TILLMAN. I desire to ask the Senator from Minnesota a question just for information. I know nothing about the merits of this bill. I was merely paying attention largely to the general subject of Indian reservations as brought out by the Senator from Connecticut. I happened to be in Oklahoma in the past year, and I found some Indian reservations still existing there, the farm lands on all sides of them now occupied by white people, and given to those white people under the homestead act, worth from \$15 to \$40 an acre.

It seems to me it would be rather queer that we should buy those remaining reservations in the future at some arbitrary price, much below the selling price of lands immediately adjoining, and then give them away, because how are we to give them away without making favorites of somebody? When the Kiowa Indian Reservation, in the western part of Oklahoma, was opened last year to settlement under the homestead act all will recall that there were, I think, 16,000 allotments, and about 100,000 applicants for the 16,000, and the only way to determine as to who should have them was a sort of wheel of fortune or a drawing. What right had anyone to authorize that those lands should be drawn for? In other words, what fairness was there in it to home seekers to thus dispose of the land?

This is rather a long question; it is something of an argument also; but if the Senator can give us any idea in regard to the special bill that is now pending and the value of the surrounding lands we can better determine—at least I would be better satisfied to vote on the proposition—as to what we shall do.

Mr. CLAPP. The Senator asks two questions. One is as to the wisdom or authority of the method employed in opening the reservation as it was opened with a system of drawing lots. That is a matter I know very little about. It occurred before I was on earth, figuratively speaking.

The other question is along the line of what I was urging, that each instance should be determined by its own surroundings. If there is a reservation here and the land around the reservation is valuable, and the land in the reservation itself is valuable, then it is a mistake to make that land free. On the other hand, if there is a reservation and the land around it is not valuable and the land in the reservation itself is not valuable there is no reason why the settlement of that reservation and that section of the State should be retarded by placing a price on the land simply because some other reservation is surrounded by valuable land and is itself valuable.

Mr. TILLMAN. Will the Senator allow me to ask him right there if he has ever known of any Indian reservation which was sought to be opened or purchased and the title of the Indians vested in the Government, so that it could either sell or homestead it, that was not valuable? In other words, do we not allow the Indians to live on the lands that are not valuable without any disturbance, and is it not those alone which are sought for homes or for minerals that we are trying to buy from the Indians?

Mr. CLAPP. Not necessarily. Here is this reservation in South Dakota. Of course the Senators from South Dakota can speak more specifically of the character of the reservation and its surroundings than I can; but because we have to pay the Indians a certain amount for that reservation, as a matter of progressive Indian policy, for the purpose of separating the Indians and extinguishing the reservation or for the purpose of meeting the advancing demands of civilization for the use of the lands, it does not follow that the land is primarily and inherently worth so much an acre. Another reservation may be valuable, as I stated in my earlier remarks, where we very gladly accord in the bill a provision that the land should be sold at the very price that the Government paid for it, because the surrounding land is settled and the land within the reservation is valuable. Now, because the Government feels that it is necessary under existing treaties to treat with this tribe and pay them something, that does not in itself involve a proposition that the land is primarily valuable by any means.

Mr. TILLMAN. Will the Senator tell us where this special Indian reservation lies?

Mr. CLAPP. The one under consideration?

Mr. TILLMAN. Yes, sir.

Mr. CLAPP. It is in South Dakota.

Mr. TILLMAN. Is it east or west of the ninety-ninth meridian?

Mr. CLAPP. The Senator from South Dakota [Mr. GAMBLE] can tell the Senator.

Mr. GAMBLE. It is west, I will say to the Senator.

Mr. TILLMAN. How far west?

Mr. GAMBLE. It is in the southern part of the State, west of the Missouri River. The reservation proposed to be opened is bounded on the west by the existing Rosebud Indian Reservation and also on the north. On the east it is partially settled. The balance of it is bounded on the east by the Missouri River.

Mr. TILLMAN. Is it not splendid grazing land?

Mr. GAMBLE. It is fair land. I think the price agreed to be paid by the Government of \$2.50 per acre is a fair consideration for the land.

Mr. PLATT of Connecticut. Will the Senator allow me to give him a little information about this land?

Mr. TILLMAN. Certainly, I will be glad to have information from any source.

Mr. PLATT of Connecticut. In the departmental letter signed by the Commissioner of Indian Affairs the following appears:

Respecting the terms of the cession, Inspector McLaughlin states in his report that he was greatly handicapped in the beginning by the fact that most of the Indians who favored a cession at all held the lands at an enormous price—from \$7 to \$15 per acre; that only a very few expressed their willingness to accept as low as \$5 per acre, and this in cash and all in one payment; that upon his arrival all the white men connected with the agency, as well as those of the surrounding country with whom he talked, held the lands in question as worth \$5 per acre; that it appeared that adjacent lands in Gregory County and in Hoyt County, Nebr., were selling at from \$5 to \$10 per acre; that a syndicate of cattlemen in Sioux City, Iowa, expressed its willingness to pay \$5 per acre for the entire tract, and that these current rumors and fictitious values placed upon the lands which were circulated among the Indians exercised them very much and had to be overcome by reasoning, which required time and a great amount of patience.

Mr. CLAPP. What I was arguing against was more the idea of a cut-and-dried fixed policy without any flexibility. What I was trying to urge was that each one of these treaties should stand upon its own merits. From what I know of that country I believe that the demands are such as to warrant throwing this land open for free homes, but as to the details, the value of the reservation and its surroundings, of course the Senators from South Dakota are better able to speak than I am.

Mr. DUBOIS. I should like to suggest to the Senator from Minnesota, who is a member of the committee as well as myself, that after a number of years of trial we finally released all of the settlers from paying what they had agreed to pay. They entered into a definite contract with the Government to pay a specified amount for land, and notwithstanding that fact Congress released them from the payment of the money and the agreement they had entered into. While I am very much in favor of this bill because it has the homestead act in it, I do not think we ought to have a flexible arrangement. Congress ought to determine on something definite.

Mr. CLAPP. Mr. President, how are we going to determine, where the conditions are so various as they are? In the very case that was passed here last week there is absolutely no comparison in value between that land and the land involved in this case. I know that from what little I know of the situation, although I do not profess to know of it as the Senator from South Dakota.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. PLATT of Connecticut. I ask the Senate to agree to go on with this discussion to-morrow morning after the routine business.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the South Dakota reservation bill may be considered to-morrow morning after the routine business. Is there objection? The Chair hears none, and it is so ordered.

CIRCUIT COURT OF APPEALS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives, returning to the Senate, in accordance with its request, the bill (S. 312) providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year.

Mr. CLAPP. I move to reconsider the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed.

The motion was agreed to.

Mr. CLAPP. I offer the amendments which I send to the desk.

The PRESIDENT pro tempore. The first amendment proposed by the Senator from Minnesota will be stated.

The SECRETARY. After the word "year," in section 1, line 8, it is proposed to insert:

And is hereby authorized and required to hold one term of said court annually in the city of St. Paul and State of Minnesota on the first Monday in June of each year.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment proposed by the Senator from Minnesota will be stated.

The SECRETARY. After the words "provided for," in line 6, page 2, it is proposed to insert:

So to be held either at the city of Denver, in the State of Colorado, or at the city of Cheyenne, in the State of Wyoming.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year, and at the city of St. Paul, in the State of Minnesota, on the first Monday in June in each year."

CHINESE EXCLUSION.

Mr. PLATT of Connecticut. It will be remembered that the Senate acted on the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent. That bill was finally amended by the substitute which I offered, and then we took up the House bill and incorporated the language of the substitute into that bill. The Senate bill still remains in charge of the Secretary, and I move that it be indefinitely postponed.

The motion was agreed to.

CIVIL GOVERNMENT FOR THE PHILIPPINE ISLANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. PLATT of Connecticut. Are there any amendments pending?

The PRESIDENT pro tempore. There are no amendments pending. Some amendments offered by the Senator from Utah [Mr. RAWLINS] have been printed and laid on the table.

Mr. PETTUS. Mr. President, I have been informed by the senior Senator from Massachusetts [Mr. HOAR] that he desires to discuss this bill before it comes to a vote. I ask that it be in some way laid over or postponed until to-morrow.

Mr. LODGE. It is impossible to lay over the bill from day to day without any action upon it. There are abundance of amendments here to consider. There have been a large number of amendments offered to the bill. It seems to me that we ought to go on with the bill and not put it over from day to day without either debating it or acting upon it in any way. I do not desire to cut off any Senator who wishes to discuss the bill, but on a measure of this importance I think we are entitled either to vote or debate or to have a time fixed for voting.

The PRESIDENT pro tempore. There is but one thing for the Chair to do.

Mr. PETTUS. The senior Senator from Massachusetts has been compelled to go home on most important business, not of his own, but concerning the welfare of one of the great institutions there and concerning matters of vast importance to that institution. I know that he desires to debate this bill. He will be back, as I am informed, in a short time, but I do not know the exact time. For that reason I move that the bill be temporarily laid over until to-morrow.

Mr. LODGE. Mr. President, that would simply displace the bill. I see no reason why my colleague will not be back to-morrow. There will be abundance of time for him to speak. Everyone knows that this debate is going on. Everyone knows that the bill is not going to be disposed of to-day or to-morrow, but I do not feel that I am justified in allowing the bill to be put over from day to day without anything being done, either in the way of debate or action upon the amendments. The table is covered with amendments, any one of which can be taken up and considered. There is not the slightest difficulty in finding something to do in regard to the bill. I repeat, I think I am justified in asking that if we can not vote upon the bill we shall debate it and dispose of the amendments, or that a time shall be fixed when the vote can be taken. I will then accommodate, so far as I am able

to do, the wishes of Senators and the convenience of the Senate; but to have it wait day after day for the convenience of Senators who are not ready will drag the debate out to a length which will carry the session into the summer. I can not, as responsible for the bill, assent to delays of that kind. I think I am justified in asking that the consideration of the bill shall proceed.

Mr. TELLER. Mr. President, I should like to inquire of the chairman of the committee, when he complains that we are not ready, whether the debate has ceased on the other side of the Chamber? Is there to be any further discussion from that side? We have had none practically on this bill.

Mr. LODGE. I do not know how many Senators desire to speak on the bill. I desire to speak upon it myself, and I intend to speak upon it before the debate is closed. I had intended to speak upon it, and I have a very great desire to do so, but I will not allow my desire to stand in the way of the business of the Senate. If the Senate is ready to vote on the bill, no desire of mine to make a speech shall interfere with it. If I am not ready to speak and the Senate is ready to vote, I shall not ask the Senate to delay for me.

I do not mean to be in the least unreasonable in regard to this measure with any Senator, but I do think that in view of the importance of the measure and the approach of the hot weather, I am entitled to say that we ought to have on it either a vote or debate or a reasonable time fixed when a vote shall be taken.

Mr. TELLER. So far as I am concerned, there will be no reasonable time fixed nor any time fixed unless we know that a different course will be pursued from that pursued on some other bills, and if the Senators who support the bill are to refrain from speaking until the time is fixed and then come in and occupy all or nearly all the time, as has been done once or twice during this session. Unless I know that will not be done there will be no time fixed by unanimous consent.

I do not care about delaying the bill a moment. So far as I am concerned, I can vote on it now. I expect to vote against it. But I know there are Senators here who expect to speak, and I think if there is anybody on the other side who expects to speak at all he should take the floor now. But three speeches have been made on this subject by members of the committee—one by the Senator from Utah [Mr. RAWLINS], one by the Senator from Tennessee [Mr. CARMACK], and one by the Senator from North Carolina [Mr. SIMMONS].

Mr. LODGE. Two members of the committee.

Mr. DUBOIS. The Senator from North Carolina is not a member of the committee.

Mr. TELLER. The Senator from North Carolina is not a member of the committee, but speeches have been made by two members of the committee.

Mr. President, it will not do for the other side to say that they are not going to debate the bill. In a service in this body that pretty nearly reaches a quarter of a century I have never heard, nor has any other member of the Senate, in my judgment, heard such an arraignment of a policy based upon the documents emanating from the party in power as was presented to the Senate by the Senator from Utah [Mr. RAWLINS].

Mr. President, the credit of the Government of the United States is at stake; its honor is at stake; and if the other side of this Chamber can not show that that was a statement unfounded and unsupported by facts, their credit and the credit of the nation at least demands that they shall disown and disavow and condemn the proceedings in those islands as they were condemned yesterday by a member of their party in another place.

It seems to me, Mr. President, that it is asking very much of us who do not believe in the bill to follow the three very exhaustive and very able speeches—speeches that Senators on the other side can not themselves, in my judgment, meet, and speeches that they have no right to complain of, speeches made in good temper, made as it becomes an American Senator to make them. It might be different, perhaps, if there had been some allusions made in a sarcastic manner; and such things have not been unusual in the Senate. I do not think anybody will complain of those speeches, and if they do, we are prepared to listen to the complaint.

I do not think we are under any obligation to make speeches every day on our side and then wait until the debate is over and allow Senators to take the floor and complete the debate when we have no chance to reply. A debate in the American Senate should mean an opportunity for both sides to contest questions that are presented, and no one side has a right to occupy the entire time, nor has either side a right to wait until the last hour and then occupy all of the time.

I have an amendment here to the bill that I want to put in. I will send it to the desk and ask to have it read. I move it now as an additional section to the bill.

Mr. FORAKER. Before the Senator from Colorado passes away from what he has been talking about, if it will not be

objectionable to him, I should like to say that when two of the speeches to which he has referred were made in the Senate I was compelled to be absent from the Senate Chamber. I was engaged upon committee work, and could not be here. I was unable, therefore, to hear those speeches. I have heard about them through the newspapers and otherwise, and I have had it in mind to probably say something in answer to them, but not until I have had an opportunity to read the RECORD and see what the speeches were. As yet neither one of the speeches to which I refer has been published in the RECORD. I heard only a part of the speech that was made yesterday by the Senator from North Carolina [Mr. SIMMONS]. I want only to say now that there was not anything in that speech to deter any man who believes in the policy the Government has been pursuing in respect to the Philippines from making a speech in support of it. I do not know what may be in the speeches that have been made but not yet printed in the RECORD, which I have not yet had an opportunity to read, but I apprehend there will not be anything there that will absolutely exterminate independence of thought and freedom of speech, so far as the other side of the Chamber are concerned.

Now, I appreciate the spirit in which the Senator from Colorado [Mr. TELLER] has spoken. I think this is an important measure. I think we ought to debate it. I think the speaking ought not to be confined to one side, but it should be indulged in by both sides until we have arrived at conclusions with which we are satisfied, intelligent conclusions, which we will express by the votes we will give.

I have been very diligently consulting the RECORD every morning ever since those speeches were made to see them. Why they have not yet appeared in the RECORD I do not know. I suppose the Senators who made them have been withholding them in order that they may revise them, as is usual. I find no fault with that; but I only rose to say that we can not be criticised for not having answered those speeches when it was impossible to hear them and has been impossible to read them.

I do not know how this matter came up at this time. I do not know what was the request of the Senator from Massachusetts [Mr. LODGE]. I was absent from the Chamber when he made the request, but I suppose it was that a time might be fixed when we could vote upon the bill.

Mr. LODGE. Mr. President, the Senator from Colorado is entitled to the floor.

Mr. TELLER. I yield to the Senator from Massachusetts, if he wants to say anything.

Mr. LODGE. I desire merely to say to the Senator from Ohio that I made no request. The bill came up as the unfinished business of the Senate. In speaking to the Senator from Ohio, I need not dwell on the importance of the bill or the importance of reaching a conclusion after proper debate. All I have said was—I have said it two or three times—that I think a measure of this importance we can not afford to put over without either debate and discussion or action of any kind from day to day to satisfy the convenience of Senators who desire to speak. I am one of those Senators myself, but the request was made to put the bill over. We have a large number of amendments which we can deal with, if no one is ready to make a general speech on the bill. We can take up and discuss and dispose of those amendments. I again say that it seems to me we ought to be able either to vote or debate or fix a time, and in suggesting that we fix a time I desire to have the most liberal time allowed.

The Senator has referred to the period when the last bill was under discussion, and he seemed to think that after the time was fixed for voting we on this side consumed most of the time. I was at some pains to have a record kept at the desk of the time used by Senators in that debate, and it came out as nearly as possible even.

I am perfectly willing in fixing a time for voting, if we can agree upon any reasonable date, to make an agreement that the time shall be equally divided between both sides, and I think from what I know that the most of the time then will go to the opposition, as only one or two Senators on this side have intimated to me that they intend to speak upon the bill.

It seems to me, Mr. President, that, in the interest of public business, we ought either to proceed with the consideration of the bill at the proper time each day, or else we should fix a time when we shall vote. Then Senators who desire to make speeches can govern themselves accordingly.

Mr. TELLER. Mr. President, the Senator from Ohio [Mr. FORAKER] has made a proper explanation of why he was not prepared to speak. I know that it is not possible for Senators to be always in attendance here, that they have other duties which call them away, and I can conceive, without difficulty, that the Senator from Ohio may want to see the speeches in print before he replies to them. That, however, does not apply to a great majority of his political associates in this Chamber, although I am free to say I think they are almost as ignorant of what has been said here

as is the Senator from Ohio. For instance, yesterday when the Senator from North Carolina [Mr. SIMMONS] was making his speech, it is an absolute fact that if it had not been that two Republican Senators have seats on the Democratic side, there would not have been a Republican Senator in any seat in this Chamber. I was afterwards told that some Republican Senator did sit on one of the sofas back of the seats; but while the Senator from North Carolina was making a very fair, and, I think, able speech, there was not a Senator in his seat on the other side of the Chamber. Of course, I must assume that business required that they should all be away, but it was rather remarkable that all should have been called away at the same time; and that has been pretty nearly the condition here day by day as this debate has gone on.

Mr. CULLOM. Does the Senator say that there were no Senators on this side of the Chamber during the speech of the Senator from North Carolina?

Mr. TELLER. I did not say that.

Mr. CULLOM. I want to know what the Senator did say, because I was present nearly all the time the Senator from North Carolina was addressing the Senate.

Mr. TELLER. I say there was a time when no man sat in his seat on the other side of the Chamber.

Mr. CULLOM. That might have been the case during a few minutes of that time.

Mr. TELLER. It was for a considerable time; it was not for simply a few minutes. I do not mean to charge that there is any determined effort on the part of Senators to keep away.

Mr. SPOONER. I should like to ask the Senator what difference it makes whether a Senator is in his own seat or in some other seat, so that he is listening to a speech?

Mr. TELLER. But the trouble is there was not a Republican Senator in any seat.

Mr. SPOONER. I was in a seat on the other side during every minute of the speech of the Senator from North Carolina, except for about ten minutes, when I was called out of the Chamber.

Mr. TELLER. The time I referred to was during those ten minutes.

Mr. SPOONER. Oh! [Laughter.]

Mr. TELLER. I affirm—for I called the attention of some of my associates to it—that not a Senator was in his seat or in any other Senator's seat on the other side of the Chamber during that time. Of course I do not suppose that that condition of affairs lasted for a great while, but it lasted long enough to be the subject of considerable comment on this side of the Chamber.

Mr. CULLOM. As I have said, I was in my seat during the speech of the Senator from North Carolina, but I observed that there were then very few Senators on the other side of the Chamber.

Mr. TELLER. I am not saying that there was any surplus or superabundance of Senators over here [laughter], but there was always somebody here.

Mr. SPOONER. Yes, the speaker. [Laughter.]

Mr. TELLER. I am not sure but that during the interim I mention there was one Republican present—I think the Senator from North Carolina [Mr. PRITCHARD], who was in the Vice-President's seat, perhaps; so that there was a Republican Senator in a seat at least; and I have been told that there was a Senator on one of the back seats.

Mr. SPOONER. I was on one of the back seats. [Laughter.]

Mr. TELLER. I mean on the back seats; not within the bar of the Senate.

Mr. TILLMAN. I hope the Senator from Colorado will name the Senator.

Mr. TELLER. I do not know who it was. He was so far away that my sight was not good enough to determine. I suppose there will be some controversy among Senators as to who had the merit of being so nearly present as that.

Mr. President, I do not care to say anything further upon that point. I intend to make a very brief speech on this bill some day, and I intend to address myself a good deal more to the bill itself than to the general question if I can get the time to arrange my views as to what the bill ought to contain. I have not felt disposed to be unnecessarily critical.

I called attention when I made a speech on the former bill to orders which had been issued which I regarded as extremely cruel. I now find in one of the great journals of the country—not a Democratic journal—some statements which I think are very important to be considered in this debate, if true, and whether they are true or not I do not know, but I think we should try to find out, if we can, whether they are true or not. I refer to the order issued by General Smith, and I am going to ask to have read an article which appeared in the New York Herald, because I am very much inclined to think that very few Senators have seen it. I have asked one or two if they have seen it, and they told me they had not.

As the Senator from Massachusetts [Mr. LODGE] is anxious that the time should be occupied by this bill, I will accommodate him by sending to the Secretary's desk, and having read, an article which appeared in the New York Herald of Sunday, April 27, 1902. It begins on the first column of the second section of the Sunday issue, and I will ask the Secretary to read the whole article, including the headlines. I can not ask him to put in the RECORD the portraits of the distinguished officers which appear in the paper, and of course I would not do that if I could.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none, and the Secretary will read as requested.

The Secretary began the reading of the article, which is as follows:

[New York Herald, Sunday, April 27, 1902.]

CHAFFEE WILL BE HELD RESPONSIBLE—HIS ORDERS TO HUGHES SAID TO JUSTIFY SMITH'S COURSE IN SAMAR—REASON FOR PRESIDENT ORDER OF COURT—WILL DETERMINE THE PROPRIETY OF RETAINING MAJOR-GENERAL IN THE PHILIPPINES—EXPECT SMITH'S ACQUITTAL—ARMY OFFICERS BELIEVE HIS FRANK DEFENSE HAS PLACED CHAFFEE IN AWKWARD POSITION.

HERALD BUREAU, No. 734 FIFTEENTH STREET NW.,
Washington, D. C., Saturday.

Maj. Gen. Adna R. Chaffee, commanding the Military Division of the Philippines, will be made responsible for the character of the warfare conducted in the island of Samar as a result of the frank and sensational line of defense adopted by Brig. Gen. Jacob H. Smith.

This is the conclusion of Army officers in Washington who read to-day the admission by counsel for General Smith that that officer did give orders to "kill and burn and make Samar a howling wilderness" and did specify that all males over 10 years of age should be shot.

It is learned that it was because of the possibility that the responsibility for General Smith's orders would be finally placed at the doors of Major-General Chaffee that the President decided to take the matter out of the hands of the commanding general in the Philippines and himself order the court which is now trying General Smith.

The effect of the organization of the court by the President will be to make President Roosevelt, instead of General Chaffee, the reviewing authority.

This means that the President will finally determine the propriety of General Chaffee's acts and the advisability of his retention in the Philippines.

General Smith was ordered by General Chaffee to command the Sixth Brigade, which was ordered to operate in Leyte and Samar. General Smith was sent to Samar as a result of the massacre of Company C of the Ninth Infantry at Balangiga, and was directed to act under the general supervision of Major-General Hughes.

Writing to General Hughes, General Chaffee stated that "General Smith, I am told, is an energetic officer, and I hope he will prove so in command of that brigade." General Smith's energy was directed in accordance with these instructions, sent by General Chaffee to General Hughes:

"While I do not urge inhuman treatment of any person in these islands, it is necessary that we be stern and inflexible, and both officers and men must be cordially supported in their duty in this regard. There is one thing necessary, and that is the wholesome fear by these people of the Army, and that every hostile motion of any inhabitant toward the troops will be quickly and severely punished.

"I have all the time thought that we do not appreciate the fact that we are dealing with a people whose character is deceitful, who are absolutely hostile to the white race, and who regard life as of little value, and, finally, who will not submit to our control until absolutely defeated and whipped into such a condition. It is to our interest to disarm these people and to keep them disarmed, and any means to that end is advisable."

General Chaffee made these further observations:

"The condition of mind of officers and men in these islands is largely in error, and they must be given to understand that they are in error, by which I mean their opinion is that the people are far more friendly than they really are and that they are satisfied with our presence among them.

"In a considerable sense this may be true. Women and children are probably friendly toward us, but as a rule I would not trust 50 per cent of the male population, and they must not be trusted.

"It is our duty to suspicion every male inhabitant in these islands, and the proof of any error in this regard must rest with them, not so much in words as by action, which can not be misunderstood."

General Chaffee added a postscript to this letter of General Hughes, which reads:

"We are glad of the services of the peace party in Cebu to assist in getting hold of the insurgents, but by the great horn spoon we will not wait for their movement nor their palaver.

"It is my opinion that Cebu in the past has been petted altogether too much, and that the island of Bohol needs a strong cathartic."

General Smith will be further able to place the responsibility upon the shoulders of his seniors by showing that the orders which he issued are identical with those published by Brigadier-General Bell in southern Luzon, and, furthermore, received the cordial approval of General Hughes and General Chaffee.

General Smith had not been four months in the island of Samar when he issued his order in relation to the character of the warfare which should be waged. He said in this order that he had become thoroughly convinced that the insurrection in Samar had been supported solely by the people who live in the Pueblos, ostensibly pursuing their peaceful pursuits and enjoying American protection, and that this was especially true of the wealthy class.

"Under such conditions," continued the order, "there can be but one course to pursue, which is to adopt a policy that will create in the minds of all the people a burning desire for the war to cease, a desire or longing so intense, so personal, especially to every individual of the class mentioned, and so real, that it will impel them to devote themselves in earnest to bringing about a state of real peace, that will impel them to join hands with the Americans in the accomplishment of this end."

"The policy to be pursued in this brigade from this time on will be to wage war in the sharpest and most decisive manner possible. This policy will apply to the island of Samar and such other portions of the brigade to which it may become necessary to apply it, even though such territory is supposed peaceful or is under civil government."

General Smith announced certain rules which would guide the army in its treatment of the natives. The first directed that "every native, whether in arms or living in the pueblos or barrios, will be regarded and treated as an enemy until he has conclusively shown that he is a friend. This he can not do by mere words or promises. The only manner in which the native can demonstrate his loyalty is by some positive act or acts that actually and positively commit him to us."

General Smith declared that "neutrality must not be tolerated on the part of any native. The time has now arrived when all natives in this brigade who are not openly for us must be regarded as against us."

This order was approved by Major-General Hughes and forwarded to Major-General Chaffee, who likewise approved it and transmitted it to the War Department. That order was allowed to remain in force, and was obeyed for one year and two months.

In February last General Smith issued an order announcing his belief that active opposition to American occupation of the island had crumbled away and inaugurating a more lenient policy.

That both General Hughes and General Chaffee were in full sympathy with the character of General Smith's campaign is further established by their official reports.

In a report dated a few days after General Smith assumed command in Samar, General Hughes wrote to General Chaffee that "our people continue killing bolomen, etc., and improving their geography." He added in this report that "the detachment of native scouts at Calbayog has killed more barefoots than any full company on the island."

General Chaffee frequently took occasion in his official reports to express commendation of the conduct of General Hughes, and it was as a result of this commendation that the latter was recently appointed a major-general in the regular establishment.

Because of the far-reaching effect of General Smith's admission yesterday that he had given orders to "kill and burn and destroy all males over 10 years of age," considerable perturbation was displayed at the War Department to-day.

Since the publication of details in connection with the methods of warfare observed in the Philippines there has been a disposition manifested to minimize the importance of the revelations.

It is admitted that the first great mistake, from an Army point of view, was made when General Chaffee ordered the court-martial of Maj. L. W. T. Waller, of the United States Marine Corps. This brought to the notice of the public the fact that the war in Samar had not been conducted in accordance with a humanitarian policy.

Testifying before the court which tried Major Waller, General Smith denied that he ever "gave Major Waller power over life and death, exceeding the General Order No. 100," issued by the War Department. Officials of the War Department said to-day that there was no conflict between this statement and the admissions of General Smith's counsel yesterday, as "there was nothing in his instructions to Waller to sanction the execution of prisoners except by due process of military law."

One Army officer, who for obvious reasons would not permit himself to be quoted, predicted that General Smith would be whitewashed. That an acquittal is expected by the Department is shown by the statement that there is nothing in the admissions of General Smith's counsel to lay the officer open to censure.

It was pointed out that the court which is trying General Smith is composed of officers who have issued or obeyed the very kind of orders which the accused published and enforced.

The Department insists that "war is hell," and that the quickest way to bring it to an end is to make the enemy as uncomfortable and sick of hostilities as possible.

That General Smith's policy accomplished results is shown, it is stated, by conditions in Samar, where the insurgents have practically all surrendered and where a condition of comparative peace prevails.

Though the War Department may attempt to condone General Smith's policy, the same lenient view is not taken at the White House. The President believes that the war should be prosecuted with the utmost vigor, but within the bounds of humanity. He has been told that the reason why General Smith gave instructions for the killing of all males over 10 is because children of that age are engaged in the war against the Americans.

So long as hostilities were in progress it was proper, in the opinion of the President, that the combatants should be crushed, but when defeated it was wholly inexcusable for the American troops to perpetrate atrocities merely for the purpose, as General Chaffee stated, of instilling a fear of the Army in the breasts of the natives.

When the record and findings of the court which is trying General Smith is received in Washington it is the purpose of the President to carefully examine it and consider the testimony which has been taken.

General Smith may be acquitted by the court, but it is within the power of the President to disapprove the findings, though it is, of course, impossible for him to order another court-martial of this officer on the same charges.

In transmitting the record and findings General Chaffee is expected to make an explanation of any facts which may appear damaging to himself.

It is the purpose of the Democrats in Congress to use the admissions of General Smith's counsel as ammunition for their speeches on the Philippine government bill, and to show the country the character of Republican administration in the Philippines, in the hope that it will have a great influence upon the fall elections.

Senator CARMACK, in the course of a speech in the Senate to-day, in which he attacked the President and General Funston, spoke of the possible results of General Smith's policy.

Senator PROCTOR, of Vermont, expressed sincere regret that General Smith should have conducted the character of campaign he did. He said there should be a careful investigation and that the court-martial of that officer should be thorough.

Senator PETTUS, one of the Democratic members of the Military Committee of the Senate, said that only General Smith's own admission could have convinced him that it was possible for an American to wage war in such a barbarous manner.

General Smith has been noted in the Army for his energy and military ability. He was born in Ohio in 1840, and served as a volunteer in the civil war, afterwards receiving a commission in the Regular Army. He was engaged in several Indian wars, and was sent to the Philippines after the war with Spain.

During the advance in Luzon, in 1899, General Smith displayed zeal and ability, which brought him an appointment as brigadier-general of volunteers, and in March, 1901, an appointment as brigadier-general in the regular establishment.

His reports of operations in Luzon are as remarkable as those on operations in Samar. One of these communications, dated Cazan, November 11, 1899, says:

"In a few minutes after reaching here we discovered about two or three hundred insurgents coming up the railroad track from the south, waving a flag of truce. I made my dispositions to receive them warmly.

"I heard three volleys from the cavalry, who were to the right and south of the railroad crossing. They dispersed quickly, going toward the east. I got word to a battalion that was in a position to intercept them and a few of them were killed, but they scattered like birds and we heard nothing more of them."

During the reading of the foregoing extract, Mr. TILLMAN, Mr. President, with the permission of the Senator from Colorado, who sent the article to the desk, which is

being read, I should like to ask the chairman of the Committee on the Philippines a question.

Mr. TELLER. I yield to the Senator.

Mr. TILLMAN. Will the Senator from Massachusetts in charge of the bill tell us whether these quotations are from documents in the War Department, and whether they have been officially published?

Mr. LODGE. I do not know. I did not present this document. I take it they are from interviews. I do not know where they come from. I know nothing about it.

Mr. TILLMAN. The documents certainly are accessible, and this correspondent must have gotten them from somebody. Has any resolution been offered calling for these official orders?

Mr. LODGE. I do not know that they are official orders. I should like the Secretary to read what the statement is about them. Are they official orders?

Mr. TILLMAN. They are supposed to be, at least that is my understanding of the reading. They are quotations from the official orders of General Chaffee to General Hughes.

Mr. LODGE. I want to find out what they purport to be. The Senator from Colorado [Mr. TELLER] has presented the paper, and perhaps he knows.

Mr. TELLER. I know nothing about it except what is in the paper. The paper speaks for itself.

Mr. LODGE. From what document are the words which purport to be the words of General Chaffee taken?

The Secretary read as follows:

General Smith was ordered by General Chaffee to command the Sixth Brigade, which was ordered to operate in Leyte and Samar. General Smith was sent to Samar as a result of the massacre of Company C of the Ninth Infantry at Balangiga, and was directed to act under the general supervision of Major-General Hughes.

Writing to General Hughes, General Chaffee stated that "General Smith. I am told, is an energetic officer, and I hope he will prove so in command of that brigade."

Mr. LODGE. The statement is that it is a letter to General Hughes.

Mr. TILLMAN. An order.

Mr. PATTERSON. No; a letter.

Mr. TILLMAN. A letter of instructions, which is equivalent to an order.

Mr. President, while I am on my feet, I should like to ask the Senator from Massachusetts what foundation in fact there is for the publication in the newspapers for the last three or four days in regard to Mindanao and the situation as to the sultan, the datus, and the mussulmans down that way, who are said to be fighters? Has the Senator got any information as the chairman of the Committee on the Philippines, or has the War Department any information, or are these mere shadowy emanations from the brains of our newspaper people? We ought to have some foundation for these things, or we ought to be able to get them from the committee or have the committee furnish the Senate some authoritative denial of them.

Mr. LODGE. I know nothing about matters in Mindanao, except what has been published in the newspapers. The official orders and reports which have been published in the newspapers are all I know about.

Mr. TILLMAN. Here is one respectable paper—at least it is supposed to be a respectable paper—that publishes quotations from military orders that must have been furnished its correspondent from the War Department.

Mr. LODGE. This has nothing to do with Mindanao.

Mr. TILLMAN. I understand that; but I was just working up to the point to know why we should be so urgent or strenuous with the people in Samar and those other islands where the people are not such bloodthirsty fighters and why we are so polite and Christianlike in our dealings with the Mohammedans. If the Senator has any information on these points, I wish, as chairman of the committee, he would furnish it to the Senate.

I saw this morning a document lying on our tables which furnishes us a good many statements and copies of petitions from natives of the Philippines, asking that our Army shall remain there, and all that kind of thing. Those things are sent here in order to try to influence public opinion to the effect that the war is one of civilization and humanity and liberty and all that kind of thing; but along comes these other statements which stagger us. I want to get at the facts. That is all.

We are told very positively that there was no water cure being administered over there. That was denied by the Secretary of War and others. I do not suppose that there is anybody but acknowledges from the testimony which has been taken that our people have been guilty of imitating the Spaniards and the Macabebe scouts in some of their inhumanities and cruelties.

I am merely asking for information. I do not want to cast any imputation upon the conduct of the war, unless it rests upon facts, and I should like to have the chairman direct attention to

some official document bearing upon the orders which have been issued by Chaffee, Smith, Hughes, and others. That information is either at the War Department or it can be gotten from Manila.

Mr. LODGE. Possibly.

Mr. TILLMAN. If the chairman of the committee would take the matter in hand and furnish the information to the Senate, and save somebody calling by resolution for certain correspondence, and all that kind of thing, as an humble member of the Senate I should like to gain some information, some light on the subject. I am especially desirous of knowing whether we, a Christian people, are to-day occupying the attitude of butchers and practicing cruelties that would disgrace the Inquisition, if it were now in existence, upon the inoffensive, I might say cowardly, inhabitants of some of the islands; whereas, whenever we reach a region where we shall have to fight with some people who are bloodthirsty themselves and will cause us a great deal of trouble and loss, we get very polite, and go to cringing and fawning around, and pay them a stipend, I believe. I saw a statement at least to the effect that there was a treaty made by General Bell, in which we agreed to pay a certain sum to the Sultan of Sulu, a couple of thousand dollars or some such a matter, and that his chiefs or lieutenants were paid \$1,200, or something like that.

I merely want to know if the chairman of the committee will furnish us information as to whether or not we are cringing and fawning around in the southern end of the archipelago, whereas we are butchering, torturing, and injecting or forcing water into the others, and practicing other cruelties that are indecent and contrary to the American character.

Mr. TELLER. I ask now that the reading of the article which I sent to the desk may be resumed, that it may go into the RECORD as a continuous document, and that the interruptions of Senators may follow. Otherwise its continuity will be disturbed.

The PRESIDENT pro tempore. Is there objection to the request? The Chair hears none, and the article will be published entire, as requested by the Senator from Colorado.

The Secretary resumed and concluded the reading of the article referred to.

Mr. TELLER. If I had General Smith's order I would put it in, but I have not got it. I suppose it has been read by everybody.

In alluding to the fact of the small attendance on the other side when the Senator from North Carolina [Mr. SIMMONS] was speaking yesterday, I wish to say, so that it will not appear that there was any disrespect not shown to others, that frequently not more than four or five Senators have been present on the other side of the Chamber when other speakers have addressed the Senate on this subject.

I wish to put in the RECORD, because some Senators have not had the privilege of reading it, General Bell's order of December 8, 1901. I wish to put in, also, his telegraphic circular of December 9, 1901, and I think, in justice to General Bell, I should put in what the editor of the Army and Navy Journal says, which is, of course, complimentary to General Bell and justifying his action.

Mr. President, I am not going to enter into a general discussion of this case. I understand that General Smith admitted recently that he had given such an order, and justifies it upon an order issued during the civil war which has been known generally, although I do not find it named in this newspaper article, as the Tom Ewing order. General Ewing, a distinguished officer and a member of a distinguished family in Ohio, was in command in the State of Missouri. Just what his grade was does not occur to me now, but it is immaterial. There had been great complaint of bushwhacking in Missouri, and General Ewing deported the entire population of two counties, as I recollect, and destroyed practically all the property that was destructible in those two counties.

There was very severe criticism of his action in every part of the United States. It was not attended with cruelty, except as everybody must realize that to take a whole community and move it must necessarily be cruel. I never heard any complaint that there was any unnecessary force. Those people were taken outside of the immediate neighborhood so that they could be supported, and they were supported. I do not remember just how. Yet that order received the bitterest criticism in the United States.

In the greatest war that ever afflicted mankind, a civil war, with the greatest armies that were ever assembled in an internecine war, lasting four years, between people of the same blood and of the same family as it were, people all of whom had called themselves citizens of the United States, with all the bitterness that arose out of such a contest between high-spirited people, where I venture to say there were more exhibitions of manly courage than in any other war in the world, there was no complaint of any acts of this kind, and no officer can justify himself

by going back to General Ewing's order or anything like it. Of course, I have not forgotten—

Mr. SPOONER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. TELLER. I will in a moment. I have not forgotten the complaint that was made of the cruelty to prisoners practiced by a certain Confederate officer who suffered subsequently the penalty of his misconduct. Now I will hear the Senator from Wisconsin.

Mr. SPOONER. I was going to ask the Senator quietly and kindly if he had forgotten Fort Pillow?

Mr. TELLER. I have not forgotten Fort Pillow, but the Fort Pillow affair was not a comparison to what is charged as having occurred in these islands.

Mr. CARMACK. Will the Senator from Colorado permit me to inquire of the Senator from Wisconsin what he means by remembering Fort Pillow?

Mr. TELLER. I will let the Senator complain of Fort Pillow, if he wants to. I will yield to the Senator.

Mr. CARMACK. What did the Senator from Wisconsin mean by asking if the Senator from Colorado remembered Fort Pillow?

Mr. SPOONER. I had in mind, of course, the massacre of colored troops at Fort Pillow.

Mr. CARMACK. What?

Mr. SPOONER. What has always been regarded as the massacre of colored troops.

Mr. CARMACK. I do not want to go into a discussion of that question now, in the time of the Senator from Colorado—

Mr. TELLER. You may.

Mr. CARMACK. But there was no massacre at Fort Pillow except the shooting of men who were fleeing after the fort was captured. There was no massacre of prisoners. No such thing ever occurred at Fort Pillow.

Mr. TELLER. I have a pretty fair recollection of Fort Pillow, and while there was considerable criticism and, I think, likely justly some criticism about it, if the Senator from Wisconsin will go back to the history of the time he will find it was nothing in comparison with what we are informed has occurred in these islands.

I understand, as I was saying, that General Smith defends this order on the ground that there was something of the kind done during our war, and upon the further ground that boys of 10 years of age in the Philippine Islands are warriors; that owing to the climatic influences boys of 10 years in tropical countries are equal to boys of 14 or 15 in the higher altitudes. While that is not true, as a matter of fact, there is an earlier development of course in the Tropics than in the North, but I doubt very much whether there are any 10-year-old boys in the Philippine army. However, if there are boys of 10 years of age in the Philippine army fighting for what they and their fathers believe are their rights, I have a better opinion of the Filipinos than I had before.

Mr. FAIRBANKS. Will the Senator from Colorado allow me to interrupt him?

Mr. TELLER. I yield to the Senator from Indiana.

Mr. FAIRBANKS. I have been absent during a portion of the debate upon this question. I suppose I am pretty familiar with its general features, because we have heard the Philippine question debated over and over again for the last three years, and from the first speech up to the present time I have heard nothing new. I wish to inquire what the Senator is now objecting to. I do not understand that the Government approves of what was done by General Smith. Does the Senator from Colorado so understand it?

Mr. TELLER. I do not know whether the Government approves of it or not.

Mr. FAIRBANKS. I understand a court-martial has been ordered.

Mr. TELLER. I have heard that a court-martial has been ordered.

Mr. FAIRBANKS. Yes.

Mr. TELLER. But if the newspaper statement is correct, the court-martial ought to have been ordered fifteen months ago.

Mr. FAIRBANKS. But the fact is that one has been ordered.

Mr. TELLER. I do not know whether it has or not. I only know what the newspaper says. But it is rather a late day to order an investigation. If the newspaper article is correct, it has been within the knowledge of the War Department for more than a year. I do not know whether it is true or not. I said I did not vouch for it. I put it in here so that Senators who stand by the Administration and who seem to be quite prepared to indorse everything that is done may bring a proper excuse here, which I hope they can do.

Mr. FAIRBANKS. May I ask the Senator from Colorado another question?

Mr. TELLER. Certainly.

Mr. FAIRBANKS. Does not the Senator understand that the court-martial was ordered as soon as the facts alleged were known in Washington?

Mr. TELLER. Not if the newspaper article is true. I hope the Senator will understand now what I am talking about. I understand more about it, it appears, than he does by a great deal.

Mr. FAIRBANKS. Quite likely. The Senator is basing his statements entirely upon the newspaper report?

Mr. TELLER. Certainly I am.

Mr. FAIRBANKS. I simply want to get at the Senator's understanding of the facts.

Mr. TELLER. I understand. I assume now that the probability is that these statements are facts. The court-martial has been ordered, but if the statement is true, and it was published last Sunday, and nobody arose here yesterday to say that the Administration had been slandered, and offering to get the facts for us—

Mr. TILLMAN. Mr. President—

Mr. TELLER. In one moment. I will assume, so far as respectful criticism of it has been made by members of that political party as well as by those of the opposition, that it is true enough at least to call for action on the part of the Department in disclaiming it if the statement is not true.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. TELLER. Certainly.

Mr. TILLMAN. I wish to call the Senator's attention to the closing paragraph of the article read, in which General Smith's record is given. It appears from it that he himself, in making a report of his military operations a year or two ago, declared he had fired on a flag of truce under which some natives were approaching, endeavoring, I presume, to surrender, and that they were shot down in cold blood. So you might expect such a man to give an order to kill all down to those 10 years of age.

Mr. TELLER. I was diverted in stating what I was going to state about the 10-year-old soldiers. I do not myself believe very much in 10-year-old soldiers. I do not believe there has been any considerable number of 10-year-old soldiers. If so, I can not myself conceive of a man who could see 10-year-old boys in an army fighting for what they believe to be their rights and who would have the heart to kill them.

Mr. President, the American people have been proud of the war powers of our own people. We have always been enthusiastic when people went into the Army. We have patted them on the back, and if these boys of 10 or 12 years of age are in the army they certainly have a right to be treated as soldiers. Perhaps it will be said they are so young they can not be treated as soldiers. What right have we to kill everybody in a province because he is in arms against us? Does that account for the wonderful difference between the wounded and the dead, attention to which has been called repeatedly here and no explanation ever made?

I am going to put into the RECORD an article from the Post of this morning, headed "Pacifying Filipinos." It is a Republican paper, a paper of character, and it can not be characterized as being hostile to the Administration in office. I do not care to take the time of the Senate to read it, unless some one objects, and I will ask that it be printed as a part of my remarks.

The PRESIDENT pro tempore. Without objection, the article will be printed in the RECORD.

The article referred to is as follows:

PACIFYING FILIPINOS.

Our sentiment about retaining the Philippine Islands and our conception of their relations to our prestige and their importance to our oriental commerce are entirely distinct from views of policy as to their people and their pacification. This country may be a unit on the first and be properly divided on the second.

There is a justifiable division of sentiment on the subject of making Funston's a permanent influence in our policy. The acquittal of Lieutenant Waller, accused of shooting prisoners, was perfectly proper when he made good his plea of justification and proved it by citing the order of his superior officer, General Smith, to kill everything over 10 years of age and make the country a howling wilderness. It is not forgotten that when this remarkable order was pleaded by Waller friends of General Smith in the islands and many people here were indignant in their denials that such an order had been issued.

Had the President not ordered a court-martial for General Smith these denials would have stood unimpeached and the country would have laid all blame upon Waller's court-martial for acquitting him on a plea not proved. But now General Smith, put on trial, admits that he issued that order, not only for the killing of prisoners, but for an appalling and indiscriminate slaughter of all the inhabitants over 10 years of age. He justifies himself by harking back to a general order, issued in the pinch of our civil war, of 1863. Reading that order is sufficient to nullify it as his justification for his action. It begins with the statement that the life of the country is the first thing to be considered, and that, being attacked and threatened with destruction, in using the means for its preservation all else is secondary. What follows in regard to retaliation, treatment of prisoners and of hostages, is all dependent on the introductory clause of the order. There is no inherent evidence that the order was issued as a general rule. It depends upon the statement of the emergency of a defensive warfare to save the national life.

The simplest mind sees at once that such an order is not intended to apply to our conduct of an offensive warfare that touches at no point the national life.

Yet General Smith pleads that order, issued nearly forty years ago in a civil war of defense, as justification of his order to kill all human beings, not excepting sex, over 10 years of age.

War blunts feeling and conscience, but that process has not yet wrapped in amarois the conscience and the humanity of the American people. They are willing to make offensive war, and will not flinch at any of its necessities when it is directed against men. Nor do they have undue sentiment at any horror of war that scowls in open battle and overtakes men who are free to fight or free to run. But they will not be reconciled to the repetition of Spanish atrocities under our flag. It is not fair to say now that General Smith will be acquitted, but it may be said to be probable that, as Lieutenant Waller passed the responsibility up to General Smith's order and went free, General Smith may be able to pass it up to a general order that is forty years old and go free also. That will be bad, but it is far from being the worst of this business.

Concurrently with the incident of General Smith's court-martial appears matter in the press to justify him. This comes, properly enough, from Kansas, the State that bears the awful responsibility of Funston. Soldier Boardman, of that State, says:

"There has been a great howl in this country because the order was issued that 10-year-old boys should be killed. Anyone who has had occasion to see how fiercely a 10-year-old Filipino fights will realize the wisdom of that order. A Filipino boy of 10 is as mature as an American boy of 14 or 15, and can shoot as well as a man. Many of the young boys among the Tagalos were armed with rifles and bolos, and were as good marksmen as their fathers. They shared their parents' hatred of the Americans and resorted to all sorts of treachery.

"Soldiers who have seen their comrades shot down by boy sharpshooters realize the justice of General Smith's order. All sentiment about tender years and that sort of thing is lost under such conditions as the American soldiers faced in the Samar campaign. People who have no knowledge of the actual conditions existing in the Philippines can not understand what desperate straits the American forces were in at times."

We don't think that folly and blindness have ever gone beyond that. What a picture to hang on the walls of the War Department! Our army in the Philippines driven into a corner by boy sharpshooters of the age of 10!

During the Cuban revolution the Spaniards caught a boy of 10 and shot him as a spy. When the little fellow was placed in front of the firing squad he cried: "Disaten mis ojos. No tengo miedo de morir; pero dejeme ver a los cerros en donde naci!" ("Unbind my eyes. I'm not afraid to die; but let me see the hills where I was born!")

This Kansas hero believes now in shooting boys of 10, because "they share their parents' hatred of Americans." That Cuban child shared his parents' hatred of Spaniards, and died like a hero. Is it the purpose of the American people to make permanent in the Philippines a condition that will bring children into the world their blood hot with inherited curses of us and our flag?

The men of this country will blush when they read that "soldiers who have seen their comrades shot down by boy sharpshooters realize the justice of General Smith's order." Because a spirit of defense, no matter how mistaken a patriotism, no matter how misdirected, has sent boys of 10 to fight with arms, then all boys of 10 are to be shot down on sight, with no arms in their hands, as a means of "justice."

It is time for public sentiment to move to the front and make itself felt. No matter how high our purpose in the Philippines, nor how consecrated by sacrifice, if it can be attained only by the wholesale slaughter of children of 10, like lambs in the shambles, it will be abandoned. No prize is great enough to be won by incurring the curse that fell upon Herod.

Mr. TELLER. In addition, I wish to put in the RECORD, although I know they have appeared there before, but they must have been forgotten, General Bell's orders of December 8 and 9 last.

Several SENATORS. Have them read.

Mr. TELLER. I will have them read. There is nothing very pressing before the Senate, and I will ask that they be read. The article taken from the Army and Navy Journal.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

RIGOROUS MEASURES IN LUZON.

It is evident from the following circulars issued by Brig. Gen. J. Franklin Bell, United States Army, commanding in Batangas Province, island of Luzon, that experience has convinced him that nothing short of the most rigorous military measures will crush the insurrection in that hotbed of Tagalog treachery and crime. General Bell is an officer of the highest courage and intelligence, whose record in the Philippines is a story of ceaseless activity and splendid results in support of American authority. He has been in Batangas for months. He is acquainted with the Tagalos and their ways. He has personally studied the situation in all its bearings, and if it can not be said of him that he knows just what he is talking about, then there is no man in the Army of whom it can be said. The subjoined circulars show that halfway measures in dealing with the insurgents are futile and almost suicidal. The enemy must be taught what war really means. Major-General Chassee in recent orders declared that there was widespread organized treachery among the Tagalos. These conditions fully justify the radical measures which have been adopted to crush the revolt in Batangas. General Bell's circulars are as follows:

[Telegraphic circular No. 2.]

BATANGAS, December 8, 1901.

To all Station Commanders:

In order to put an end to enforced contributions, now levied by insurgents upon the inhabitants of sparsely settled and outlying barrios and districts, by means of intimidation and assassination, commanding officers of all towns now existing in the provinces of Batangas and Laguna, including those at which no garrison is stationed at present, will immediately specify and establish plainly marked limits surrounding each town bounding a zone within which it may be practicable, with an average-sized garrison, to exercise efficient supervision over and furnish protection to inhabitants (who desire to be peaceful) against the depredations of armed insurgents. Those limits may include the barrios which exist sufficiently near the town to be given protection and supervision by the garrison, and should include some ground on which live stock could graze, but so situated that it can be patrolled and watched. All ungarrisoned towns will be garrisoned as soon as troops become available.

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of towns over which

they exercise supervision, informing them of the danger of remaining outside of these limits, and that unless they move by December 25 from outlying barrios and districts with all their movable food supplies, including rice, palay, chickens, live stock, etc., to within the limits of the zone established at their own or nearest town, their property (found outside of said zone at said date) will become liable to confiscation or destruction. The people will be permitted to move houses from outlying districts should they desire to do so, or to construct temporary shelter for themselves on any vacant land without compensation to the owner, and no owner will be permitted to deprive them of the privilege of doing so.

In the discretion of commanding officers the prices of necessities of existence may also be regulated in the interest of those thus seeking protection.

As soon as peaceful conditions have been reestablished in the territory of this brigade, these persons will be encouraged to return to their homes and such assistance be rendered them as may be found practicable.

J. F. BELL,

Brigadier-General Commanding.

[Telegraphic circular No. 3.]

BATANGAS, December 9, 1901.

To all Station Commanders:

A general conviction, which the brigade commander shares, appears to exist that the insurrection in the territory of this brigade continues because the greater part of the people, especially the wealthy ones, pretend to desire but in reality do not want peace; that when all really want peace we can have it promptly. Under such circumstances it is clearly indicated that a policy should be adopted that will as soon as possible make the people want peace and want it badly.

It is an inevitable consequence of war that the innocent must generally suffer with the guilty, for when inflicting merited punishment upon a guilty class it is unfortunately at times impossible to avoid the doing of damage to some who do not individually deserve it.

For reasons here indicated, which are well known to all, and chief of which is the delay and difficulty in ascertaining the exact truth, it will be impossible to wage war efficiently and at the same time do abstract justice in operations unquestionably essential to putting down an insurrection which has long continued in the territory of this brigade.

Natural and commendable sympathy for suffering and loss and for those with whom friendly relations may have been maintained should therefore take a place subordinate to the doing of whatever may be necessary to bring a people, who have as yet not felt the distressing effect of war, to a realizing sense of the advantages of peace.

War in the disturbed portions of the territory of this brigade, and, when manifestly necessary, in those portions supposed to be peaceful or which are under civil government, will be conducted in accordance with the provisions of General Orders, No. 100, Adjutant-General's Office, 1863, which publishes instructions for the government of armies of the United States in the field. The provisions of this order will be directly adhered to, but no station commander will put anyone to death as a measure of retaliation for assassination under sections 27, 28, 34, and 148, without obtaining authority from a superior commander, nor will the death penalty be inflicted in any case without similar authority.

Commanding officers are urged and enjoined to use their discretion freely in adopting any or all measures of warfare authorized by this order which will contribute, in their judgment, toward enforcing the policy or accomplishing the purpose above announced.

It is not necessary to seek or wait for authority from these headquarters to do anything or take any action which will contribute to the end in view. It is desired that subdistrict commanders accord to their subordinate officers and commanders a degree of confidence and latitude in operations similar to that herein conferred upon them. Such restraint and supervision only should be exercised as is dictated by sound discretion, and as may be essential to securing concert of action and cooperation when desirable, adherence to authorized methods, and a uniform policy and harmonious action in working for a common end. Subordinate commanders and young officers of experience should not be restrained or discouraged without excellent reason, but should be encouraged to hunt for, pursue, and vigorously operate against armed bodies of insurgents wherever they may be found.

Except when the advantage in position and numbers is overwhelming on the side of the enemy our troops should always assume the offensive and advance on and pursue them vigorously. The best defense against these people is to assume a vigorous offensive at once. To retire in the presence of this enemy is generally hazardous and discouraging to our troops.

Nothing herein contained will be so interpreted as to warrant or arouse carelessness or a lack of well-known and proper precautions. Though troops should be aggressive, they should be military in methods, and precautions against surprise and ambush should never be neglected.

In addition to maintaining active operations against armed bands of insurgents persistent and systematic efforts will be made, through the use of spies, local police, native scouts, intelligence officers, provost-marshals, and provost courts, to discover, apprehend, and punish all agents, collectors, organizers, contributors, and sympathizers who secretly aid, assist, and extend encouragement or comfort to those in arms. Many such persons will unquestionably be found among municipal officials and councils and tenientes of cabezas of barrios. [Lieutenant of the head of a barrio.—Editor.]

It is so probable as to amount almost to a certainty that the election of all town officials in the province of Batangas and Laguna have been dictated by Malvar or other insurgent leaders and that they would never have been permitted to discharge their functions without molestation had they not continued to be subservient to the will of the insurgent leaders and been acting as their agents, or at least have done nothing inconsistent with their interests.

The only acceptable and convincing evidence of the real sentiments of either individuals or town councils should be such acts publicly performed as must inevitably commit them irrevocably to the side of Americans by arousing the animosity and opposition of the insurgent element. Such acts are reliable evidence, but mere words are worthless.

No person should be given credit for loyalty simply because he takes the oath of allegiance or secretly conveys to Americans worthless information and idle rumors which result in nothing. Those who publicly guide our troops in operations against the enemy, who denounce and assist in arresting the secret enemies of the Government, who publicly obtain and bring reliable and valuable information to commanding officers, those, in fact, who publicly array themselves against the insurgents and for Americans, should be trusted and given credit for loyalty, but no others. No person should be given credit for loyalty solely on account of his having done nothing for or against us, so far as known. Neutrality should not be tolerated. Every inhabitant of the territory of this brigade should either be an active friend or be classed as an enemy.

Presidents and chiefs of police against whom sufficient evidence can be found to convict them before a court of violating their oaths by acting as agents for insurgents, or by aiding, assisting, or protecting them in any way, should be arrested and confined, and should ordinarily be tried by military commission. Charges should be preferred and forwarded with that in view.

Other town officials guilty of similar offenses might be tried by provost courts unless their offense be too grave for adequate punishment thereby.

Another dangerous class of enemies are wealthy sympathizers and contributors who, though holding no official positions, use all their influence in support of the insurrection; and while enjoying American protection for themselves, their families, and property, secretly aid, protect, and contribute to insurgents. Chief and most important among this class of disloyal persons are native priests. It may be considered as practically certain that every native priest in the provinces of Batangas and Laguna is a secret enemy of the Government and in active sympathy with insurgents. These are absolutely our most dangerous enemies—more dangerous even than armed insurgents—because of their unequalled influence. They should be given no exemptions whatever on account of their calling. On the contrary, whenever sufficient evidence is obtainable they should be brought to trial. Should well-founded suspicion rest against them, in the absence of competent evidence, they should be confined and held as a necessary military precaution to preclude further activity or bad influence on their part.

The same course should be pursued with all of this class, for to arrest anyone believed to be guilty of giving aid or assistance to the insurrection in any way or of giving food or comfort to the enemies of the Government it is not necessary to wait for sufficient evidence to lead to conviction by a court; but those strongly suspected of complicity with the insurrection may be arrested and confined as a military necessity and may be held indefinitely as prisoners of war in the discretion of the station commander or until receipt of other orders from higher authority. It will frequently be found impossible to obtain any evidence against persons of influence as long as they are at liberty, but once confined evidence is easily obtainable.

The apprehension and punishment of one individual of the above-mentioned classes (men of wealth and standing and officials) is of greater importance and will exercise greater influence than the punishment of a hundred ignorant hordes for those suffering no principle cares a straw. The wealthy and influential and town and insurgent officials are therefore those against whom our most energetic efforts should be directed. The common people amount to nothing. They are merely densely ignorant tools who blindly follow the lead of the principals. When guilty they must be arrested and confined, in order to put an end to further activity on their part, but whenever it is possible to reach their chief or leader through their testimony they may be promised immunity from trial for such simple offenses as aiding and assisting or being insurgents. They should not be released, however, unless they are willing to demonstrate their loyalty by public participation in operations against their former leaders.

The policy herein indicated need not be applied, should commanding officers be convinced it is inadvisable, in those portions of the territory of this brigade where peaceful conditions have been completely reestablished, as in Marinduque, for example. Discretion should also be exercised as to the degree of rigor to be employed in its enforcement in those portions of the territory of the brigade where civil government exists, and where no organized insurrection or intrigue is discoverable.

Wherever the constabulary have been organized, cordial cooperation will be extended to and solicited from them. Commanding officers will promptly transmit by wire to other commanding officers any information which may possibly be of assistance to them, and are expected to seek cooperation and concert of action from each other whenever such may appear to be desirable.

J. F. BELL,
Brigadier-General Commanding.

(Army and Navy Journal, January 25, 1902.)

Mr. TELLER. I ask that the amendment which I offered may be read and printed.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add at the end of the bill the following, as a new section:

SEC. 95. That the President of the United States is hereby authorized to appoint a commission composed of not less than seven and not more than fifteen persons whose duty it shall be to proceed as speedily as practicable to the Philippine Islands and to take such measures as shall be deemed desirable to secure a lasting peace between the inhabitants of said islands and the United States. The persons so to be appointed shall be commissioned by the President, who is authorized to make such rules and regulations for the government of such commission in their effort to secure peace as he shall consider necessary to carry out the spirit of this section. The persons so appointed shall each receive a salary of \$10,000 per annum, to be paid monthly. The United States shall bear all the expenses of said commission while en route to or from the said islands, or while there performing the duties imposed by law or by the instructions of the President, as herein provided for. The salary of the members of such commission and the other expenses thereof shall be paid out of the money appropriated for the support of the Army.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. TELLER. Mr. President, the Senator from Indiana asked me about the order for the court-martial. I was not prepared then to say when the court-martial was ordered, nor am I now prepared to say when the Department received knowledge of the order. That must be determined otherwise. But in a telegram sent by the Adjutant-General to Chaffee on April 15, 1902, I find the following:

On the 24th of March instructions were mailed you containing statement of charges against those officers—

Speaking of some officers—

and Gen. Jacob H. Smith—

Mr. FAIRBANKS. I should like to ask the Senator from what document he is reading?

Mr. TELLER. It appears in some of the testimony taken by the committee.

Mr. FAIRBANKS. By the Committee on the Philippines?

Mr. TELLER. Yes; I will go back to the beginning of the paragraph:

On the 24th of March instructions were mailed you containing statement of charges against those officers and Gen. Jacob H. Smith as the basis of the investigation ordered by the cable of March 4.

Further instructions in both matters are required by the following facts.

I call the attention of the Senate to the following:

Press dispatches state that upon the trial of Major Waller, of the Marine Corps, testimony was given by Waller, corroborated by other witnesses, that Gen. Jacob H. Smith instructed him to kill and burn; that the more he killed

and burned the better pleased General Smith would be; that it was no time to take prisoners, and that when Major Waller asked General Smith to define the age limit for killing, he replied "Everything over 10."

I do not know, but I assume that that is a correct statement of what the order to Waller was. It does not appear to have been even confined to males over 10—"everything over 10;" but of course if it was supposed to be confined to males it would exclude noncombatants, as well as combatants, which does seem to me perfectly horrible to contemplate. I think, Mr. President, the order calls for very prompt action on the part of the Department, and what is more—

Mr. FAIRBANKS. If I may tax the kindness of the Senator for a moment, I will say that I interrupted him a moment ago simply to obtain information. I do not have complete information on the subject, and I supposed the Senator, with his usual care, had obtained all that pertained to it. It did not seem to me that he should criticize the Government for what had been done without its knowledge.

I do not believe that the Senator thinks for one moment that the Government of the United States would sanction in the Philippines or anywhere else, in the name of war, anything that did not conform to the ordinary usages of war, and that if there has been anything done by any officer of the Government in the Philippines which is in contravention of those rules which are recognized in modern warfare the Government would instantly see that the officer who had violated the rules of war was brought to summary account. I do not think we should charge the Government with any delinquency before the case had been brought to the attention of the officers of the Government. If the authorities in Washington acted when advised of alleged wrongdoing, they have acted properly and are not censurable.

Mr. TELLER. That is the question. I had not supposed myself when I heard of the court-martial that the Department here had had knowledge of this enormity, but a very respectable journal published last Sunday, and so far it has not been disputed by anybody, the statement that the Department had this knowledge and by its silence, at least, approved of it for many, many months, if not a year, before the court-martial was ordered. I hope it will be proved, for the credit of the Government, that that is not true.

I know that the knowledge which has gone out has created a great deal of surprise, and I may say it has been a shock to the public mind. I know that it is not confined to this side of the Chamber, nor is it confined to those who believe that as a general policy the policy of the party in power touching the Philippines is an unwise one. The men who are in full accord with it have felt disposed to complain of this order, and some of the best citizens of the United States have entered a very vigorous protest.

Mr. President, I should despair of the welfare of this country if the American people as a people did not repudiate such an order as that. I believe they will, and if this charge should prove to be true, I believe the officer ought to be dismissed from the service.

I have not been inclined, Mr. President, to unduly criticize the Administration here on the conduct of the war in the Philippine Islands. I have never said a great many things that have come to me that would indicate that the war had been carried on in a cruel and unlawful manner.

I see by the report in the press that Major Waller was acquitted upon the ground that he was under obligation to follow the order of his commanding officer. I understand that that is not the law of war. He must follow every order within the rightful power of that officer, but no more. If Gen. Jacob H. Smith had not the authority to issue the order, which I believe no one here will contend, then Major Waller ought to have refused to execute the order. I know it is very difficult for a subordinate to decline to do that, and I think as a rule the punishment should be inflicted upon the officer commanding and not upon the subordinate who executed it, even though he does not approve of a wicked thing.

Mr. President, I will not charge the Administration with any attempt to condone this crime. In this connection I want to read an order of the President, and I am glad to read it. It will be found in the same telegram:

The President desires to know in the fullest and most circumstantial manner all the facts, nothing being concealed, and no man being for any reason favored or shielded. For the very reason that the President intends to back up the Army in the heartiest fashion in every lawful and legitimate method of doing its work, he also intends to see that the most rigorous care is exercised to detect and prevent any cruelty or brutality, and that men who are guilty thereof are punished. Great as the provocation has been in dealing with foes who habitually resort to treachery, murder, and torture against our men, nothing can justify, or will be held to justify, the use of torture or inhuman conduct of any kind on the part of the American Army.

By direction of the Secretary of War:

H. C. CORBIN,
Adjutant-General, Major-General, U. S. Army.

Mr. President, that is a declaration that I have no doubt will be carried out. I hope so at least. But every time we complain of these infractions of the laws of war we are compelled to rather

excuse ourselves and explain that we are not attacking the Government or that we are not attacking our soldiers in the Philippines, for all of us on this side are, by implication at least, charged with doing that. I feel that it is my duty to my country and my duty to myself when I know such things are going on to enter my protest, and I should despise myself, as I would despise any man who was afraid to do that thing when he thought he ought to do it.

I know the people who are supporting the Administration are somewhat embarrassed in being frank about these matters. I know, of course, it is a little difficult for them. They want to wait until the full proof is in, and frequently it never gets in with a certain class of people, for no matter what is done they will find some excuse for it.

Could anything be more childish than to say, as many of the newspapers of the country are saying, that these Filipino 10-year-old boys are vigorous soldiers, fighting like men, and therefore we are obliged to kill them. If that had been true of boys 10 years old, which it is not, and everybody knows that it is not, there might have been some modification of the orders, so as at least to kill only those 10-year-old children who had arms in their hands; but the very wording of the order included everybody, it included noncombatants, and it included all without reference to sex. When a military order goes to the extent of making a country "a howling wilderness," so that a bird can not fly through it, as one officer said, there must be, and everybody must know that there is, cruelty of the extreme kind. Old General Sherman said, "War is hell." War will always be hell; but it remains for these modern days to make war what it was in the tenth century. I will venture to say that in all the great wars since the Middle Ages you can not find an order of infamy like that of Bell or that of Smith, and if the order of Smith was lodged in the War Department, as that newspaper says, and it was not repudiated within an hour, everlasting disgrace is brought to this American nation.

Does it seem possible, Mr. President, that any man with American instincts could know that such an order was in existence and not promptly repudiate it? I repeat, I hope for the credit of the American name that it will be proved that when it was known the order was issued it was promptly repudiated and that the statement in the newspaper is not true, but it is for the Administration to tell us when that news came to them.

Newspaper after newspaper, including the Army and Navy Journal, which is supposed to speak for the great Army and Navy of the United States, can find sufficient excuse for these wicked orders. Can anybody here find any excuse for them? Is there any man here who will say that the enormities practiced by the Filipinos justify such enormities on our part?

Why, Mr. President, for two hundred years and more we have conducted war with savages in this country, who burned and scalped and murdered, who have been guilty of treachery of every possible kind, and yet did anybody ever hear of any such cruelties being inflicted upon them or any such wicked order issued? Never, never, Mr. President.

I know we have been charged again and again with cruelties to the Indians, and I have no doubt we have been cruel; but I never before heard of an officer issuing an order of this kind; and if he had done so, it would have been repudiated by the whole American people, even by the people living on the border who were threatened with Indian wars and Indian massacres.

I am somewhat encouraged to find that there are some who are members of the party on the other side of the Chamber, who are ardent supporters of the annexation of the Philippine Islands, and some who are ardent supporters of the doctrine that we are to hold them and exploit them, who have been entering their protest against this last wicked order which has come to our knowledge. I want, in this connection, to read an utterance made yesterday by a very prominent Republican, who can not be charged with any attempt to discredit the party to which he belongs and which has highly honored him. They are the words of an American citizen, delivered in another place, and I believe they found a welcome in the hearts of all who heard them, as I believe they must find a welcome here. I hope that he will not be the last to condemn such conduct.

If the General is correctly reported and stands by the declaration with which he is credited, assuming the responsibility for such orders—

As I understand he has—

then I desire to say that there is no defense; and I hope the President of the United States will have the courage, upon this man's admission, to discharge him dishonorably from the service which he has thus disgraced. [Applause.]

If he is correctly reported as admitting that he issued orders to leave that province a howling waste and wilderness and to kill all above 10 years of age, the innocent with the guilty, that man ought never to be permitted to stay in the service of the United States until the sun goes down. He is a blot not alone upon the army in the Philippines; he is a disgrace to every man who ever wore the uniform of the United States, and he is a blot and a disgrace upon our present civilization. Wait and hear what his justification may be! That man does not live who can justify such orders. [Applause.] There is no justification. There can be no justification. I care not how adroit may

be his lawyers, how subtle may be their reasoning, or how cunningly they may frame their plea; the fact, admitted by his own mouth, that he issued such orders is sufficient for me to hope that there is the courage and the patriotism, the humanity and the Christianity, at the other end of this avenue that will not permit him to wear the Federal uniform twenty-four hours hence.

This is no question of party. This rises above all party levels. In the name of humanity we protest. For the fame of our civilization; for the honor of those who wore both the blue and the gray during the long years of civic strife; in the name of those who wore the nation's uniform and marched to glory and to honor beneath the folds of the American flag in Cuba, in Porto Rico, and in the Philippines; in the name of the compassionate Christ, whose followers we profess to be, we protest and deny the right of any man to wear the American uniform under a commission from this Government and place such a blot upon the banner of freedom. Nor can we believe that the God of battles can march with us where such practices are permitted to prevail. [Applause.]

Mr. LODGE. Mr. President, some time ago the Senator from South Carolina [Mr. TILLMAN] asked me about the orders that were quoted by the newspaper article which has been read, and why we did not send for them. Then he went off on the question of Mindanao, and the debate drifted away without my having an opportunity of saying to him what I desired.

On the 16th of April, 1902, the Secretary of War addressed the following letter to me as chairman of the Philippine Committee:

WAR DEPARTMENT, Washington, April 16, 1902.

Hon. H. C. LODGE,
Chairman Philippine Committee, United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, transmitting the following resolution of the Philippine Committee of the United States Senate:

"Resolved, That the Secretary of War be requested to send to the committee—

"1. Copies of all orders that have come from commanders and subordinates in the military districts of Tayabas, Samar, Laguna, and Batangas—

Those are the provinces where fighting is going on—

together with a statement of the Department's action thereon.

"2. Copies of all official circulars issued by such commanders and subordinates and all official reports from military officers in said districts."

While this resolution indicates no date from which the orders and reports are to commence, I assume that the period intended to be covered is from the date when the civil executive authority theretofore reposed in the military governor was transferred to the civil governor—namely, July 4, 1901—to the present time, and this report, therefore, includes:

1. Copy of an act of the Philippine Commission enacted July 17, 1901, "restoring the provinces of Batangas, Cebu, and Bohol to the control of the military governor." (The parts of Laguna and Tayabas adjoining Batangas in the mountain region are affected by the disturbances in Batangas.)

2. General Chaffee's General Orders, No. 179, July 20, 1901, laying down the procedure to be observed by the military in the provinces designated by the Philippine Commission as fully organized and sufficiently well advanced in all details of civil administration as to warrant passing under the civil executive jurisdiction of the civil governor.

3. Copies of all orders that have come from commanders and subordinates, and copies of all official circulars issued by such commanders and subordinates, and all official reports from military officers of the Third Brigade, whose jurisdiction includes the provinces of Tayabas, Laguna, and Batangas.

4. Similar orders and reports of the Sixth Brigade, which includes the island of Samar.

5. Reports of General Chaffee to the Adjutant-General of the Army, touching operations in the provinces indicated in the resolution.

These papers, it is believed, will fully supply the information called for in the resolution of your committee. It is possible that some of the printed orders furnished are not required, but inasmuch as the purpose for which these orders are required is not indicated, it has been thought best to furnish the committee with all orders that have been issued during the period in question touching in any manner upon the military operations in Tayabas, Laguna, Batangas, and Samar.

So far as the desire of the committee to be furnished with a statement of the action taken by this Department upon these orders is concerned, permit me to say that the matter being one of military administration in the suppression of an insurrection, concerning which the department commander was governed by the rules and articles of war and the regulations for the government of troops in campaign, the Department considered that General Chaffee was able to handle the situation without special instructions from Washington.

Very respectfully,

ELIHU ROOT, Secretary of War.

That includes all the orders from which extracts have been made. I think, in the New York Herald article; but, at all events, it includes all the orders of any kind in the disturbed provinces which have been issued since last July and are in the possession of the War Department.

The order of General Smith to Major Waller is not, so far as I am aware, among those orders, nor, so far as I know, was it known to anybody until Major Waller pleaded it in his defense. That was the first I knew of it, and that, I think, is the first anybody here knew of it. As soon as Major Waller had pleaded it in his defense, as I understand, an order was given by the President directing a court-martial of General Smith, and, as has been said here this afternoon, already the court-martial of General Smith is now being proceeded with, and its findings are to come for review to the Secretary of War and the President, and are not to go to General Chaffee.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Tennessee?

Mr. LODGE. Certainly.

Mr. CARMACK. Does the Senator know how it happened that that particular order did not go to the War Department?

Mr. LODGE. I have not been able to make out—perhaps the

Senator knows—from the statement, whether it was a verbal order or a written order. The first I knew of it, the first the country knew of it, and the first, so far as I am informed, that anybody knew of it, was from the cable dispatch that Major Waller had pleaded this order of General Smith in his defense. Thereupon cable orders were sent from here for the trial of General Smith. I know nothing else about it except that.

Mr. CARMACK. The suggestion made to my mind by that fact is that we are not getting all the orders made by our military officers in the Philippines. I do not doubt that we are getting all that are in the War Department. I do not question that at all.

Mr. LODGE. No.

Mr. CARMACK. But it seems that orders are issued over there, and orders of a very extreme character, which never reach the War Department. I presented a resolution in the Philippine Committee calling for these orders, and this particular order was not sent. I do not mean to suggest at all that it was in the possession of the War Department. I do not suppose it was, and I do not believe it was; I feel sure it was not. But it indicates that our military officers in the Philippines send to the War Department just such orders as they please and suppress just such orders as they please.

Mr. LODGE. The Senator is aware, of course, being a member of the Committee on the Philippines, that since this communication came in we have asked the Department to cable for a copy of the record in the Waller case—the whole record.

Mr. CARMACK. I am aware of that. I myself offered the resolution for that.

Mr. LODGE. That the Senator knows that it was adopted at once by the committee, and we were informed by the War Department that it had been cabled.

Mr. CARMACK. That is not the point of which I was speaking. I was not complaining of any action of the committee or of any action of the War Department in regard to this matter; but I was simply suggesting that orders are given by our military officers in the Philippines, no word or hint of which ever comes to the War Department, and this matter leaked out through the court-martial of Major Waller. It came to the country for the first time in the proceedings of that court-martial, in the defense made by Major Waller, that General Smith had issued an order of this character. Now, it seems that they have never transmitted any such order as that to the War Department, that it is not in the possession of the War Department, and when we call for information from the War Department, it seems we do not get any reliable information as to what is being done in the Philippines.

Mr. LODGE. The Bell orders, which have been cited, are given, as the Senator knows, here in this pamphlet.

Mr. CARMACK. Yes, sir; I know that.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from South Carolina?

Mr. LODGE. I yield.

Mr. TILLMAN. In furtherance of the contention or the utterance of the Senator from Tennessee, I am not exactly sure, but it seems to me that the testimony given before the Military Committee by the General of the Army had something to do with unearthing the report which has been suppressed, or held back, or was lying covered up in the War Department in regard to the decimation, we might term it, of the province of Tayabas, or whatever it is, where the population ran down from 300,000 to 200,000.

Mr. CARMACK and Mr. RAWLINS. Batangas.

Mr. LODGE. That was another province; another government.

Mr. TILLMAN. But was not Major Gardener the officer who made the report?

Mr. LODGE. No; it was the secretary of the other province, who was a native Filipino.

Mr. TILLMAN. Is that story true?

Mr. LODGE. I know no more about that than the Senator knows. The report was recently published here, as the Senator knows.

Mr. TILLMAN. Are the committee taking any steps to investigate and to see whether we are just leaving a waste over there—a burned country, with everybody being killed, down to the age of 10?

Mr. LODGE. The Senator evidently has not read the report.

Mr. TILLMAN. I certainly have not.

Mr. LODGE. The report states that since the close of hostilities there—since the war ended—it is estimated that nearly one-third of the population have died of malaria and dysentery, which comes from it.

Mr. TILLMAN. It is very absurd, to my mind, to talk about people who are acclimated and born and raised there dying from malaria.

Mr. LODGE. It may be absurd to the Senator, but that is the statement of the secretary of the province.

Mr. TILLMAN. They have died. The main fact that we are confronted with is that they are dead.

Mr. LODGE. Undoubtedly; the secretary states that.

Mr. TILLMAN. Why they died or whether dysentery is another form of starvation—

Mr. LODGE. I beg the Senator's pardon. The secretary of the province states that they are dead from that cause, and I take it the figures given are but a rough estimate.

Mr. TILLMAN. I ask, then, if the committee are taking any steps to verify that statement? Do we propose to continue going along in this helter-skelter sort of way that we are going?

Mr. LODGE. Does the Senator ask if we have sent for the information?

Mr. TILLMAN. I ask if the committee have taken any steps whatever to discover the present status in that province, what the population formerly was and what it is now, and whether there is any truth in that statement?

Mr. LODGE. The committee have not yet investigated the condition of that province. They only received the report a short time ago. I will say to the Senator that the bill covers just such an investigation as that; but the committee, of course, have not had time to go to the province to get the information.

Mr. TILLMAN. I did not expect the committee to go to the province, but I thought they might make Mohammed come to the mountain, as we are the investigating force, and try to throw some light on the situation in the Philippines. And as the committee is now at work, we might send over and get some witnesses in regard to the situation that would induce us to make some alteration in the policy we are pursuing if we are now simply murdering, butchering, or killing in legitimate warfare, or whatever term you may use.

You say that they are a vicious, cruel, and semibarbarous people, who are dealing with us in a way that makes us retaliate, and all that kind of thing. The question that presents itself to my mind is, how long we are going to continue to hold on to this bag of cats. If they are such a type of men in their love of liberty, or what little they have of it is of such a character, as to make them determined to perpetually war with us, resist our authority, and do everything possible in their weakened and unarmed condition to maintain a show of resistance, what benefit is it to the American people to persist in this infamous policy?

Mr. LODGE. Is that the question the Senator wants to ask of me? I thought the Senator was going to ask me a question; but he went on delightfully, as he always does, in regard to so many other matters, that I lost sight of his question.

Mr. TILLMAN. I think that the little speech, as you term it, which I have made, is just bristling with questions before, behind, above, and below. [Laughter.]

Mr. LODGE. The last question the Senator asked opens up the entire subject, on which I hope to make a speech, but which I can not reply to in a few minutes.

Mr. TILLMAN. I hope the Senator, or some other Senator on that side of the Chamber, will get equipped for a speech, but it seems, as my friend from Colorado [Mr. TELLER] says, that nobody on that side of the Chamber is inclined to discuss the subject.

Mr. CULBERSON. Mr. President, I simply rise to ask the Senator from Massachusetts a question, as he has the floor.

Mr. LODGE. Though I had the floor, I yielded it long since, but I gladly take it again. [Laughter.]

Mr. CULBERSON. Whatever may be the situation and the truth with reference to the order of Gen. Jacob H. Smith, I do not suppose the Senator will deny that the order of General Bell, which is almost as reprehensible, was issued on the 8th day of December of last year, and that that order, at least, has been acquiesced in by the War Department. It has never been disapproved or countermanded, and there has never been any disposition, so far as we are advised, on the part of the Administration, to inquire why it was issued. I should like to ask the Senator if he indorses that order of General Bell, issued on the 8th day of December, 1901? It is a question, Mr. President, to which I desire an answer from the Senator from Massachusetts, if he is disposed to give one.

Mr. LODGE. Does the Senator ask if I indorse the order of General Bell?

Mr. CULBERSON. Yes.

Mr. LODGE. No, sir; I do not indorse cruel methods of waging warfare. I think, as every right-minded man must think, that that order of General Smith's, as it stands published before the world, is an order which every American must regret—bitterly regret.

General Bell's order I have not looked at for some time, but if I remember correctly the order the Senator refers to contains a number of provisions. It is quite a long order, as I recall it. It contains a number of provisions, some of which seemed to me harsh and cruel without understanding the conditions which prompted it. The whole testimony—I do not know, and I can only

speak of my own knowledge on the surface, but the order of General Smith seems to me revolting.

Mr. CULBERSON. I will ask if the Senator does not also remember that the President of the United States has very recently sent his congratulations to General Bell for his vigorous prosecution of the war in that province under the very order which the Senator has just now condemned?

Mr. LODGE. That is something I do not know. That is something of which I have not heard.

Mr. TELLER. Mr. President, on the last day of the speech of the Senator from Tennessee [Mr. CARMACK] he referred to the fact that in the province of Batangas one-third of the population has within a short time died. I want to know if that is the province the Senator from Massachusetts [Mr. LODGE] referred to, where he said the people had died of malaria and dysentery?

Mr. LODGE. That is one of the statements in the report, and I read it. It is the report I had in mind.

Mr. TELLER. It is the report to which the Senator from Tennessee called attention. I am not quite certain, but I understand that Batangas is in the province of Luzon.

Mr. RAWLINS. The province of Batangas is in the island of Luzon, not far from Manila, and the report has been made by the secretary of the province. It was made on the 16th day of December of last year. That is the date of it. The secretary stated substantially as the Senator from Massachusetts has stated, that one-third of the inhabitants have died.

Mr. TELLER. In what period of time has this large number of people died—how many months or years?

Mr. RAWLINS. The precise time is not given.

Mr. TELLER. And the population there has decreased one-third?

Mr. RAWLINS. One-third—from over 300,000 to 200,000.

Mr. TELLER. I may be mistaken—and if I am mistaken I can be readily corrected by the Senator from Connecticut [Mr. PLATT]—but I think that is one of the provinces we were told quite early in the session had been pacified.

Mr. SPOONER. Yes.

Mr. TELLER. I think that is so. I do not think I am mistaken about that. The Senator from Connecticut, who read the list of the pacified provinces, can inform us. I am quite sure that there have been no active hostilities in the immediate vicinity of Manila for some time.

Mr. LODGE. Batangas is a southern province, just south of Manila, and very near it; the last point at which we were fighting.

Mr. TELLER. So I understand.

Mr. RAWLINS. If the Senator from Colorado will permit me, it was in respect of that very province, on the 16th day of December, 1901, as shown by this report to have been decimated to the extent of one-third of its people, that Bell's order, referred to by the Senator from Texas [Mr. CULBERSON] a moment ago, was made applicable.

Mr. TELLER. The order applied to that particular province.

Mr. CARMACK. That was one of the orders that for some reason or other was not sent here by the War Department.

Mr. TELLER. Mr. President, there is one proposition in the bill before the Senate to which I wish to give my approval. There is not very much in the bill with which I could possibly agree. But I find this provision:

That all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the 11th of April, 1899, and then resided in the Philippine Islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands, and as such entitled to the protection of the United States.

To that part "entitled to the protection of the United States" I wish to give my adhesion. I wish to know if a condition of affairs exists over there where every third man, woman, and child, is dying or has died, amongst a class of people who, whatever may be their relations to us, the committee thus declare are entitled to our protection, and as we are commanding them I suppose everybody will agree to that.

Mr. TILLMAN. What about the 300,000 slaves in Mindanao?

Mr. TELLER. I will forego that question. If that is the condition over there, it seems to me, with respect to the humanitarians of this section of the country, who have gone into so much severe travail over the condition in Cuba, where they say the people are in danger of being in want at some time in the future, and who have to admit that the danger does not now exist, and with respect to which we are called upon to help them, it would have been a great deal better if we had been called on to help these people. There is not anybody who does not know that if a third of a population die, they do not die from any normal cause. People may die in vast numbers when some great plague sweeps over them, but I have not heard of any such thing in the Philippine Islands.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. TELLER. Certainly.

Mr. SPOONER. Is not the statement that a third of the population have died, coupled with the statement, by the man who asserts it, that the cause of their death was malaria or dysentery? Is not one branch of the assertion of fact supported by precisely the same evidence as the other? I suppose, of course, the Senator does not construe the provision in the bill that the United States shall protect the Filipinos to include protection against malaria and dysentery?

Mr. TELLER. The Senator from Wisconsin has the reputation of being a very good lawyer. He knows very well that when a man makes a statement of that kind I am not obliged to take his entire statement.

Mr. SPOONER. If you take part of it.

Mr. TELLER. No; I am not. The fact of the death is one thing. Why they died may be entirely another.

Mr. SPOONER. The whole statement is based on this report of December 18, 1901.

Mr. TELLER. Yes; unfortunately that is the only way we have of getting evidence.

Mr. SPOONER. It is signed by Caedo, provincial secretary. Will the Senator permit me to read just a word?

Mr. TELLER. Yes.

Mr. SPOONER. He says:

I have the honor to report to your excellency that the conditions of the province during the present year can not be more deplorable.

Mr. BACON. Will the Senator permit me to make a suggestion in this connection which may reconcile the two Senators?

Mr. SPOONER. As soon as I have read this.

Mr. BACON. I beg pardon.

Mr. SPOONER. It is only a word.

Mr. TELLER. Finish it.

Mr. SPOONER. It continues:

The mortality, caused no longer by the war, but by disease, such as malaria and dysentery, has reduced to a little over 200,000 the more than 300,000 inhabitants which in former years the province had.

Mr. TELLER. What does he say as to the cause that brought on the condition?

Mr. LODGE (to Mr. SPOONER). Read it all.

Mr. SPOONER. I will continue the reading:

All the highways and wagon roads and bridle paths are almost impassable, even for cavalry, in the wet season, except in a few places where they have been repaired by the military.

Working animals having been decimated by the epizootic (rinderpest), agriculture, the province's only source of wealth, is entirely prostrated, and as a climax to all these events, the war, with all its fatal results.

Out of the 22 pueblos of this province a relative peace is enjoyed only in the pueblos of Calaca, Balayan, Tuy, Ilang, Calatagan, and Nasugbu.

It is pretty long. Does the Senator want me to read it all?

Mr. TELLER. I do not care.

Mr. LODGE. Yes; read it all.

Mr. SPOONER. Very well.

The committees of the Federal party having been created in the pueblos of the province since February last, civil rule having been inaugurated and established since the May following, and the pueblos having been organized into municipalities pursuant to the existing municipal code, with the exception of Cuento, Taysan, and Rosario, all of us who were lovers of peace and order hoped that those who were still in arms would surrender and recognize American sovereignty, in order to enjoy the benefits of that rule with us. But the revolutionary leaders, miserably deceived by the revolutionary committee of Hongkong, and all of them, down to the last private, being the rulers over the life and property of the poor farmers who live outside the immediate protection of the American forces, have wished to remain in arms, for if they surrender the greater part will become vagrants, accustomed as they are to living at the expense of others.

Nevertheless, through the efficient measures which the illustrious General Bell is beginning to take, such as the blockade of the ports of this province and the prohibition of all trade, it is to be hoped that within a short time the desired peace may be secured. All the more since all the pueblos are clamoring for it and willing to lend their valuable assistance to its securing.

After all, I foresee the coming of famine with all its horrible consequences. It is true that during the coming year, in so far as the resources of the province will permit, the famine referred to may be partly remedied by giving work to the poor in the repair of roads, construction of bridges, and opening of means of communication between the pueblos. These resources shall become exhausted—as they will undoubtedly—since agriculture is dead, owing to the lack of working animals, which has been general throughout the archipelago. Famine must reign in this province in the coming years, and God grant that it may not be for a long time.

This is all I can report to your excellency.

Very respectfully, your obedient servant,

FLORENCIO R. CAEDO,
Provincial Secretary.

Mr. CARMACK. I should like to ask the Senator a question. Did the Senator ever hear of any great plague or epidemic where one-third of the people died?

Mr. SPOONER. No; I do not know that it has been true or that it has not. I think probably it is true—

Mr. CARMACK. I can not recall any instance in history where one-third of a people ever died from any plague.

Mr. SPOONER. That may be; but, nevertheless, I think it is very possible, with due deference to my friend, that it may be a fact that there have been plagues which destroyed one-third of the population. I think it is barely possible, if this recital as to

the situation in that province is correct, that some people have left it and gone where there was no famine—

Mr. CULBERSON. Mr. President—

Mr. SPOONER. But I know nothing about it. I beg pardon of the Senator from Colorado for having presumed to trespass upon his time.

Mr. CULBERSON. I simply desired to ask the Senator from Wisconsin a question.

Mr. TELLER. Proceed.

Mr. CULBERSON. I have the report before me, and I will read the section to which the Senator refers.

The mortality, caused no longer by the war, but by disease, such as malaria and dysentery, has reduced to a little over 300,000 the more than 300,000 inhabitants which in former years the province had.

I will ask the Senator if this is not the proper and the clear construction of that sentence, that there has been a mortality of a hundred thousand people in that province, but at the time this report was written it was not being caused by the war, but by malaria and dysentery, not that the whole 100,000 people had died from malaria and dysentery, but that there had been a mortality in the province of 100,000 out of 300,000.

Mr. FORAKER. From what page does the Senator read?

Mr. CULBERSON. Page 887 of the RECORD. That is the clear and plain construction, it seems to me, of this report of the Secretary.

Mr. SPOONER. The Senator asks me a question and proceeds to answer it himself.

Mr. CULBERSON. I thought I might as well do it then as later.

Mr. SPOONER. I will answer the Senator later and in my own time.

Mr. BACON. Will the Senator from Colorado permit me a moment?

Mr. TELLER. Certainly. I want to know something of the condition over there, and I believe the Senator from Georgia does know about it.

Mr. BACON. Mr. President, I believe if the investigation is ever made, which ought to be made, on the ground, as to what has occurred in the Philippine Islands and as to the conditions there, it will be shown that this particular province is not the only province in which there has been this enormous mortality. I think it will be shown—of course this is only an opinion, and does not profess to be more than that—that there has been an enormous mortality from disease, a mortality from disease altogether normal, very far in excess of such mortality as ordinarily exists in those islands from malaria, dysentery, or any other diseases.

I think it will be found that the disease has been superinduced by what I started to say was almost the total destruction—and I have no doubt that will be found to be true in many places—of the ordinary food crops of the people as the result of the war. There has been such an absolute destruction of food crops as has necessitated that the people should live upon what we hear spoken of in the reports as roots—really an inferior quality of sweet potato which grows in those islands—and, while that sweet potato may support life, it is so inferior in its nutritive properties that those who are compelled to rely upon it alone are so reduced in vitality as to become the general prey of disease. I believe it will be found upon investigation, if that investigation is ever made, that that has been true not simply of the province of Batangas, but very largely true in many other provinces of the archipelago.

I suggest that, as I stated a moment ago when I endeavored to get the floor, with the idea that it can reconcile the contention of the Senator from Colorado as to what was the natural thing to anticipate and to believe, and the contention of the Senator from Wisconsin as to the evidence in the matter. I believe they are both correct that, as an ordinary thing, it would be incredible and as an ordinary thing it would not occur. I believe it to be correct that there has been this immense mortality from disease. I believe it is entirely abnormal and due to the fact that the food crops of the islands have been almost entirely destroyed, at least wherever there has been active warfare; the people have been compelled to attempt to subsist on wild roots, and that they have died off by the hundred thousand, and not one hundred thousand, but many hundreds of thousands.

Mr. TELLER. The Senator from Georgia has the advantage of the rest of us of having been there and of knowing something about the conditions that we do not know from actual acquaintance. I am glad he made the statement. I did not question the fact that these people had died of disease. I did not mean that I thought they had been killed by the Army, but I thought they had not died from the natural diseases of the country, malaria and dysentery, which prevail in every country in the world, so far as I know. They perhaps died from disease brought on by the fact that we had invaded a whole country, and if the newspapers could be believed—the Army statements—we had destroyed every-

where we could all food of the country, both for man and beast. We saw frequently in the papers that in certain places the rice had been destroyed, and in others this and that or another article, and that a certain number of buildings were burned.

Mr. BACON. And the islands blockaded so that no other food products could be brought in.

Mr. TELLER. And, as the Senator from Georgia says, the islands blockaded and the statement distinctly made that no food should be introduced.

Of course those people were at one time in hostility to us. That is one of the provinces which was first pacified, as we thought; but it broke out later. That is why Bell's order was justified by some—as severe as it is. It was attempted to be justified upon the theory that those people had pretended for a time to have accepted our government and our control, and then broke away. Those people have died because they did not have, probably, as the Senator from Georgia says, sufficient nourishment.

I wish to say for myself that if the islands were a thousand times as rich as they are and a thousand dollars were coming to us where a cent is coming to us by our connection with them, I would not want the money at the expense of these people's lives, nor do the American people. While, of course, when you say "protection" it does not mean that we will support them, I do say that if we have destroyed the food in order to destroy the insurgents it was an act of great inhumanity that we left those people there to starve to death, as they undoubtedly have done; and there is an obligation on this Government, not an obligation because they are citizens but the obligation of humanity, that the Government should see that these people, whose living we have taken away from them, do not starve.

The people of Batangas are not savages. They are amongst the best people of Luzon. They are a people who have been spoken of as a very mild, simple, and pleasant people by writers who went there before they were induced to find fault with them and color their statements. I wish to repeat that if you can spend, at the expense of one class of American citizens, four or five million dollars on Cuba, where every witness who was brought before the House committee, except one or two, admitted that there was no immediate distress, but said they were very much afraid there might be distress in the future, where there is no trouble, but might be trouble in the future, the whole body of the American people could spare a few hundred thousand dollars to furnish food to these people, whether they are citizens or not, for everybody must admit that they must be under our protection as long as we assume to dominate and control the country.

When Dewey took possession of Manila, I confess to a great deal of ignorance about the population, but I do not think I was any more ignorant than my associates here. I do not think anybody knew much about them. I went over to the Congressional Library and I got everything I could get in the Library on the subject to see if I could find out what kind of people they were—whether they were a class of people with whom we could get along, etc., and what was the value of the islands. I now know something about those people. They are a Christian people. Almost the entire population of the island of Luzon, except a few people in the very interior, are Christian people.

Mr. CARMACK. And nine-tenths of them can read and write.

Mr. TELLER. And as the Senator from Tennessee says, nine-tenths of them can read and write. For more than two hundred years they have been recognized in the civilized world as the best of all the Asiatics. They have been called again and again, and I can show where they were so called more than fifty years ago, the Anglo-Saxons of Asia. They are the only people in Asia among whom any man who has a knowledge of the history of the world can have any hopes of establishing a free government. You can not do it in India. You can not do it in China. There is some hope of doing it amongst these people if they are properly treated. Great Britain has come pretty near solving that problem down in the Malay Peninsula after fifteen years of kindness, not by making war odious, not by making it to such an extent that everybody would want to quit, but preventing it by recognizing the rights of the people and giving to them the privilege of participating in the government under which they live.

Dean Worcester went there and spent a couple of years off and on in those islands. Before he had become imbued with the idea that everybody who did not gracefully and cheerfully submit to being trampled on by the United States soldiers was a bad individual, he told us what those people were, and I wish to read from his book. I want to say that it corresponds with every statement made by every intelligent person about whom I know anything, including Mr. Foreman, the Englishman who lived there eighteen or twenty years, and a Scotchman whom I know, who told me he had lived there for eighteen years—that they are the best class of Asiatics. Of course I do not pretend that they are as good as some other classes of people, or ever will be. I have expressed my opinion about that a dozen times.

Mr. TILLMAN. The Senator does not include the Japanese among the Asiatics?

Mr. TELLER. I do not have the highest admiration for the Japanese. The Japanese is a Malay. I believe to-day that in many respects the Filipino is as good as the Japanese. I am not going into that discussion, however.

Mr. BACON. If the Senator from Colorado will allow me to make a statement in this connection I will say that I have seen both people, and outside of the mere matter of physical strength and vigor I consider the Filipino not inferior to the Japanese. That would be my estimate of him.

Mr. TELLER. I shall not enter into any controversy with the Senator from Georgia on that subject. I do not think it particularly pleasant for me to stand up here and complain of even the Japanese. We have pleasant diplomatic relations with them.

Mr. BACON. I did not mean to deprecate them in any way by the remark I made.

Mr. TELLER. No. I think as much of the one as I do of the other, certainly.

I desire to read two or three little extracts from Dean C. Worcester's book, entitled *The Philippine Islands*. It was published in 1898, before the war began. On page 475 he says:

The important questions which intimately concern the future of the Philippines result from the character of the 5,000,000 civilized natives and the conditions existing in the regions which they now inhabit. I trust that my readers have gained some idea of these conditions, but I have as yet said but little concerning the character of the people themselves.

They belong for the most part to three tribes—the Tagalogs, the Ilocanos, and Visayans. Some attempt has been made to draw fine distinctions between the Tagalogs and Visayans, rather to the discredit of the latter people, but I confess that it seems to me a little farfetched. Certainly it would be a great mistake to maintain that the Tagalogs of Mindoro were superior to the Visayans of Cebu. Some differences will inevitably be found between the inhabitants of different islands, or even of different parts of the same island, yet I think that the civilized natives show sufficient homogeneity to be treated as a class.

That is, the civilized class.

Foreman states that after years of faithful service a trusted native employee will sometimes rob his master or commit some horrid crime against him—betraying him into the hands of brigands, for instance. This is doubtless true, but such occurrences are certainly far from common, nor, on the other hand, are they by any means confined to the Philippines.

Not wanting to take much of the time of the Senate, I skip some parts of what he says.

On the whole, I will believe that they are naturally fairly intelligent, and they are often most anxious for an opportunity to get some education. On a number of occasions we secured good servants who asked for nothing but food and an opportunity to pick up a little English or Spanish.

It is often said that he lacks originality. If this means that he has never made any extensive contributions toward the advancement of science, literature, or art, the charge must be admitted, although the Tagalog race has developed one painter of merit, an author of no mean ability, and some wood carvers who have done admirable work. But the average native, situated as he is, could not be expected to make any advancement along such lines. Within his own sphere he is certainly ingenious and ever ready with a remedy for any mishap which may occur.

Now, skipping some, but all creditable to these people, he says:

The civilized Filipino certainly has many good qualities to offset his bad traits. The traveler can not fail to be impressed by his open-handed and cheerful hospitality. He will go to any amount of trouble, and often to no little expense, in order to accommodate some perfect stranger, who has not the slightest claim on him; and he never turns one of his own race from his door.

If cleanliness be next to godliness, he certainly has much to recommend him. Every village has its bath, if there is any chance for one, and men, women, and children patronize it liberally. Should the situation of a town be unfortunate in this particular, its people will carry water from a great distance if necessary, and in any event, will keep clean.

Hardly less noticeable than the almost universal hospitality of the well-regulated homes is their happy family life which one soon finds to be the rule. Children are orderly, respectful, and obedient to their parents. Wives are allowed an amount of liberty hardly equaled in any other Eastern country, and they seldom abuse it. More often than not they are the financiers of their families, and I have frequently been referred by the head of a house to "mi mujer"—

That is his wife—

when I wished to make a bargain. Women have their share of the work to do, but it is a just share, and they perform it without question and without grumbling.

At vespers in the evening there is always a pretty scene. An instant hush comes over the busy village. In each house father, mother, and children fall on their knees before the image or picture of some saint and repeat their prayers. The devotions over, each child kisses the hand of his father and his mother, at the same time wishing them good evening. He then makes an obeisance to each of his brothers and sisters, as well as to each guest who happens to be present, repeating his pleasant salutation with each funny bow. Host and hostess also greet one in the same way, and in remote places, where white men are a rarity, the little tots often kneel to kiss one's hand.

The civilized native is self-respecting and self-restrained to a remarkable degree.

Mr. President, I am going to stop right here and say a word about what Governor Taft said. He told how sensitive these people are when we call them negroes and when we speak of them as savages. That is supported by this declaration that they are self-respecting.

He is patient under misfortune and forbearing under provocation. While it is stretching the truth to say that he never reveals anger, he certainly succeeds much better in controlling himself than does the average European.

When he does give way to passion, however, he is as likely as not to become for the moment a maniac, and to do some one a fatal injury.

He is a kind father and a dutiful son. His aged relatives are never left in want, but are brought to his home, and are welcome to share the best that it affords to the end of their days.

Among his fellows he is genial and sociable. He loves to sing, dance, and make merry. He is a born musician, and considering the sort of instruments at his disposal, and especially the limited advantages which he has for perfecting himself in their use, his performances on them are often very remarkable.

He is naturally fearless, and admires nothing so much as bravery in others. Under good officers he makes an excellent soldier, and he is ready to fight to the death for his honor or his home.

I heard not long since, when a Senator was reading from an order, that they burned 10,000 homes, and then in a few minutes he read from another and he was asked: "They were negro huts, were they not?" Mr. President, they were the homes of that class of people; they were the homes of a Christian, civilized people, and if they were not filled with the rich furniture that you may find in the homes in Washington, there was the love of the family, the self-respect, the education of the children; there was everything that goes to make decency in civilized life. And yet in two towns, within a short distance of each other, 22,000 of them were burned out and sent adrift. I do not wonder that they are dying by the thousands and tens of thousands.

I want to say now, Mr. President, that the American people can not escape the condemnation that the world will put upon us, the condemnation that our own people will put upon us, the condemnation that every right-thinking man must put upon himself if he does not protest against this wicked and miserable attempt to compel these people to accept our Government whether they desire it or not.

Mr. President, I did not intend to say anything about this question at all. Some day I mean to take up the bill and show what I think are, speaking mildly, the absurd features of it.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 30, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 29, 1902.

SECRETARY OF LEGATION.

Robert Mason Winthrop, of Massachusetts, to be secretary of the legation of the United States at Brussels, Belgium, to fill an original vacancy.

SECRETARY OF THE NAVY.

William H. Moody, of Massachusetts, to be Secretary of the Navy, vice John D. Long, resigned.

UNITED STATES ATTORNEY.

James K. Barnes, of Arkansas, to be United States attorney for the western district of Arkansas. A reappointment, his term expiring May 10, 1902.

MARSHALS.

Asbury S. Fowler, of Arkansas, to be United States marshal for the eastern district of Arkansas, vice Henry M. Cooper, who was appointed during the last recess of the Senate.

J. F. Emmitt, of Nevada, to be United States marshal for the district of Nevada. A reappointment, his term expiring June 23, 1902.

RECEIVERS OF PUBLIC MONEYS.

James F. Thompson, of California, to be receiver of public moneys at Eureka, Cal., his term having expired. (Reappointment.)

George A. Robethan, of Pocatello, Idaho, to be receiver of public moneys at Blackfoot, Idaho, vice George B. Rogers, term expired.

Lyman B. Andrews, of Seattle, Wash., to be receiver of public moneys at Seattle, Wash., vice Columbus T. Tyler, term expired.

Miles Cannon, of Washington, to be receiver of public moneys at North Yakima, his term having expired. (Reappointment.)

Alexander J. Cook, of Clarke County, Wash., to be receiver of public moneys at Vancouver, Wash., vice Lyman B. Clough, term expired.

REGISTERS OF LAND OFFICES.

Lorenzo R. Thomas, of Idaho, to be register of the land office at Blackfoot, Idaho, his term having expired. (Reappointment.)

Fred W. Stocking, of Olympia, Wash., to be register of the land office at Olympia, Wash., vice Frank G. Deckebach, term expired.

Mathew B. Malloy, of Washington, to be register of the land office at Waterville, Wash., his term having expired. (Reappointment.)

J. Henry Smith, of Sedro Woolley, Wash., to be register of the land office at Seattle, Wash., vice Edward P. Tremper, term expired.

William E. Chaplin, of Wyoming, to be register of the land office at Cheyenne, Wyo., his term having expired. (Reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 29, 1902.

SECRETARY OF THE NAVY.

William H. Moody, of Massachusetts, to be Secretary of the Navy.

CONSUL.

Rufus Waterman, of Rhode Island, to be consul of the United States at Dublin, Ireland.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. Edmond C. Chaytor, of South Carolina, to be a captain in the Revenue-Cutter Service of the United States.

Second Lieut. Frederick G. Dodge, of Massachusetts, to be a first lieutenant in the Revenue-Cutter Service of the United States.

COLLECTORS OF CUSTOMS.

Charles T. Stanton, of Connecticut, to be collector of customs for the district of Stonington, in the State of Connecticut.

John Peterson, of Minnesota, to be collector of customs for the district of Minnesota, in the State of Minnesota.

POSTMASTERS.

Dwight A. Dawson, to be postmaster at Reno, in the county of Washoe and State of Nevada.

Stephen F. Kelley, to be postmaster at San Bernardino, in the county of San Bernardino and State of California.

Sarah J. Hebson, to be postmaster at Sylacauga, in the county of Talladega and State of Alabama.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 29, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

OMNIBUS PUBLIC BUILDING BILL.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report.

The Clerk read as follows:

House resolution No. 227.

Resolved, That on the 29th day of April, 1902, immediately after the reading of the Journal, the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 14018) entitled "A bill to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and after three hours of general debate the Committee of the Whole shall rise and the chairman shall report the bill; whereupon, without debate or intervening motion, the vote shall be taken on engrossment and third reading of the bill and (if the bill shall have passed to be engrossed and read a third time) on the final passage.

The following amendments recommended by the Committee on Rules were read:

Page 1, lines 1 and 2, strike out the words "on the 29th day of April, 1902." Page 1, lines 2 and 3, strike out the words "reading of the Journal" and insert "adoption of this resolution."

Mr. DALZELL. Mr. Speaker, if this rule shall be adopted, immediately on its adoption the House will resolve itself into Committee of the Whole House on the state of the Union for consideration of the omnibus public building bill, and after three hours' debate rise and report the bill to the House, and thereupon a vote will be taken on its passage.

Mr. RICHARDSON of Tennessee. Mr. Speaker—

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Tennessee?

Mr. DALZELL. I will. What time does the gentleman want?

Mr. RICHARDSON of Tennessee. About fifteen minutes.

Mr. DALZELL. I will yield fifteen minutes to the gentleman.

Mr. RICHARDSON of Tennessee. I do not expect to use that much time, Mr. Speaker, and I will yield some of it to gentlemen on this side, if they desire it.

Mr. Speaker, I do not rise to oppose this rule with the expectation of defeating it. There is no politics to this bill.

Mr. CREAMER. Mr. Speaker, I wish to raise a point of order. I believe it will be too late after we have debated the rule.

The SPEAKER. The gentleman will state his point of order.

Mr. CREAMER. My point of order is based on what I find in the Constitution, Manual and Digest, which is supposed to govern us to a certain degree. It is much more material, Mr. Speaker, that there should be a rule to go by than what that rule is. I

maintain, Mr. Speaker, that this report suspends Rule X, which permits the offering of amendments to all questions brought before the House, and under Rule XXVIII to suspend that rule requires a two-thirds vote. Am I correct in that proposition?

The SPEAKER. The gentleman is not correct.

Mr. CREAMER. Then I will appeal from the decision of the Chair—

The SPEAKER. The question has been fought out again and again, and is well settled that the Committee on Rules can bring in a rule providing for order of business in the House—

Mr. CREAMER. Has it been settled in this House, Mr. Speaker, in the Fifty-seventh Congress?

The SPEAKER. The Chair did not understand the gentleman.

Mr. CREAMER. When was the decision rendered?

The SPEAKER. There have been many decisions that a rule from the Committee on Rules, which fixes the order of business, with the approval of the House, does not require a two-thirds vote.

Mr. CREAMER. I raise the point that it does require a two-thirds vote, in accordance with the rule I find here, as it goes beyond fixing the order of business, and I appeal from the decision of the Chair.

Mr. DALZELL. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The Chair overrules the point of order, and from that decision the gentleman from New York appeals to the judgment of the House, and the gentleman from Pennsylvania moves to lay that appeal on the table. The question before the House is, Shall the appeal be laid on the table?

The question was taken, and the motion of Mr. DALZELL to lay the appeal on the table was agreed to.

Mr. CREAMER. Most of the gentlemen upon this side, as well as on the other side of the House, would seem to have pork in the barrel. [Laughter.]

Mr. RICHARDSON of Tennessee. Mr. Speaker, my friend from New York [Mr. CREAMER] is mistaken in his last remark, in which he said that "all had pork in the barrel." Speaking for one, I will say that I have no "pork in the barrel." I am utterly and irreconcilably opposed to the adoption of this rule—not because I have no "pork in the barrel" (for I did not ask to have any in it). I have not asked for any public building at this session of Congress in my district, and therefore in opposing this rule I am not influenced by reason of the rejection of an application for a building.

But, sir, I am eternally opposed to this method of legislation. It can not be justified by any kind or course of reasoning or argument. We are here near the middle of the session. We have ample time to consider public-building bills. Mr. Speaker, for more than a hundred years, in the history of Congress, bills of this kind have been considered separately. It is a very modern, a very recent idea that we can not consider public-building bills upon their merits, and that each bill to construct a public building can not be allowed to stand upon its own merits, if it has any. I think this is the second bill of this kind that I have ever seen considered in the House of Representatives.

Now, sir, this form of legislation is wrong—radically wrong. Under the pending rule, no gentleman is to be permitted to offer an amendment to increase the amount of an appropriation for a public building, and no man is to be permitted to move to reduce the amount proposed by the committee. All must accept the action of the Committee on Public Buildings and Grounds. Their judgment must be taken as infallible.

Mr. Speaker, I care not how wise the committee may be; I care not how wise the gentlemen are who compose that committee, and I mean no reflection upon the committee or any member of it when I say it, but it is absolutely impossible that those 17 gentlemen can know with mathematical precision what amount is required for each of the public buildings for which an appropriation is recommended in this bill.

Mr. Speaker, I have not had time to read the report on the bill. It was not here yesterday. It was only delivered to us this morning. I have not had time to glance over its contents, but I find that it is a report of 12 or 13 pages. I presume it undertakes to give the arguments in favor of each one of these appropriations. I do not know that that is what is contained in this report; but I find that it refers to several of these public buildings. The bill provides a method or plan for procuring sites, and also defines, with at least some degree of detail, the manner of expending the appropriations made. Whether these provisions are wise or unwise no one here can tell.

Mr. Speaker, it is futile to stand here and object to this measure. I take it for granted that before the bill was reported enough promises were obtained, enough "pork" was put into "the barrel" to guarantee the passage of the bill. It may be right that it should pass. I can not controvert it. I have not had the time, and no gentleman outside of the committee has had

the time to investigate the particular items of this bill, and yet we are called upon to vote for it in gross, to vote for it as one bill, to vote for it without amendment, to vote for it without the opportunity of offering an amendment, and thus we are to take \$17,000,000 or \$18,000,000 out of the Treasury or reject the bill, and thereby vote that no appropriation shall be made for any public building anywhere.

That is the position in which we are placed. It is not right, Mr. Speaker. With all the time we have—with the session only about half gone—we could take up each one of these propositions as it was the custom to do for a hundred years of our history; we could consider each public-building measure upon its merit and then pass it, either as reported or as amended by the Committee of the Whole.

I have not taken the floor for the purpose of attempting to bring united party action against this bill. It is not a partisan measure; it is not a political measure; but it is one, I repeat, that is radically wrong in its construction, radically wrong in the methods to be pursued for its passage. For one I shall vote against the rule, although I shall not seek to defeat it by calling the yeas and nays. I recognize that it would not be possible to defeat the rule. All I have taken the floor to do is to protest in the name of good legislation against the rule which we are now considering.

I yield five minutes to my colleague [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I want to ask the gentleman from Pennsylvania [Mr. DALZELL] whether he will yield for an amendment striking out so much of this proposed rule as provides that there shall be no amendments offered to the bill.

Mr. DALZELL. I can not.

Mr. SIMS. Now, Mr. Speaker, I have no objection to this bill being considered, and no objection, in general, to a rule providing for its consideration; but it does seem to me that it is carrying things to an extreme pass when we can not offer an amendment to an omnibus bill containing numerous items—a bill which the House has had no opportunity to consider and will have no opportunity to consider.

I want to say that, so far as I know, I have no amendments to offer to increase any item in the bill, but there are some items in the bill which I would move to amend by decreasing. In the interest of economy in public expenditures I can not see what it is that has appealed to the Committee on Rules in this House to report a rule providing for the consideration of a bill involving many millions in such a way that it can not be considered in Committee of the Whole by paragraphs and shall not be open to amendments.

It seems to me that is a surrender of the powers of this House which is dangerous in the extreme and which no consideration should prevail upon any member to indorse. I have no objection to the rule if we are permitted to amend, but I want to ask this House, Mr. Speaker, why should the House upon this particular bill be denied the privilege which it exercises on other bills of like character? The river and harbor bill is considered here item by item, with amendments pro and con offered and voted upon. The omnibus war claims bill, reported from the committee of which I have the honor to be a member, is considered in the same way. Now, why is this bill so sacred? Are these appropriations so sacred and is the committee which has considered it so wise that the provisions of the bill must not even be inquired into in this House? Why have three hours of general debate on a bill that can not be amended one way or the other? Why these three hours? If it is a bill so good that it can not be improved by amendment, how can it be improved by general debate? What is the use of general debate?

The House knows in the repeal of the war-revenue taxes that on account of amendments being denied by the special rule it was asked to have no general debate and put the bill upon its immediate passage and it met with the universal approval of the country. Why give three hours now to talk about provisions of a bill which we know is going to pass without the dotting of an "i" or the crossing of a "t"? Omnibus bills are bad enough in their nature when the House has the liberty to consider them in Committee of the Whole with power to amend them, but how much worse do they become when the voice of the House is to be stifled and the House yield to the committee, its servant, its sovereign power to change or amend. I make no reflection upon this committee; they are all my personal friends, and I am not making one particle of complaint personally in regard to the matter; but why should this committee or its action be selected out and dignified with this decree, behind which it is impossible to go, to inquire, to alter, or to amend?

Why not take the omnibus war-claims bill and treat it in the same way? Why not take the river and harbor bill and treat it in the same way? Why not take the naval appropriation bill which is now before the House and treat it in the same way? Whenever the servant of this House has become supreme, then the rules of which this side has complained so much become ex-

tremely dangerous. I hope my Democratic friends who have something in this bill will not vote in violation of every principle and doctrine which they have ever maintained simply for fear they will not get justice. I presume every appropriation in this bill is a proper one. As far as I know, it is. Therefore, what reason is there for us to surrender our rights in order to pass a just bill?

The SPEAKER. The time of the gentleman has expired. The gentleman from Tennessee [Mr. RICHARDSON] has two minutes remaining.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I will only use a moment of that time in order to emphasize what my colleague has said, that I can see no use in having three hours general debate upon this bill. I ask my friend from Pennsylvania [Mr. DALZELL] what can be accomplished by a general debate of three hours here upon this bill? What is the object of the three hours' debate? If we go into Committee of the Whole on the state of the Union and have general debate, with gentlemen to speak on the state of the Union, that is well enough, but I can not see what good is to be accomplished by three hours of general debate upon the pending measure, with no opportunity to amend. We are to have no right to amend, no right to reduce or to increase any proposition in the bill or to strike out any proposition or insert a new one, yet we are to stand here and speak for three hours. Now, if the proposition were, I say, to go into the Committee of the Whole on the state of the Union and have general debate I can see that some good might be accomplished. That is all I care to say, Mr. Speaker.

Mr. DALZELL. Mr. Speaker, I yield ten minutes to the gentleman from Nebraska [Mr. MERCER].

The SPEAKER. The gentleman from Nebraska is recognized for ten minutes.

Mr. MERCER. Mr. Speaker, the Committee on Public Buildings and Grounds has had under consideration before it over 400 bills authorizing public-building legislation. The aggregate of the amounts asked by those bills foot up almost \$67,000,000. The committee realizes that the United States is a growing country and has attempted, as far as possible, to relieve the situation in different parts of the Republic in an economical and systematic way. The committee regret exceedingly that it was impossible to recognize all bills before it, but there are other Congresses to come. It is impossible for one Congress, and especially one session of Congress, to meet all the wants of this great country of ours. We have prepared a bill, after very careful investigation and consideration, which we think upon investigation by the members of this House will meet with almost unanimous approval.

Mr. GOLDFOGLE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Nebraska yield to the gentleman from New York?

Mr. MERCER. I do yield to the gentleman from New York.

Mr. GOLDFOGLE. Does the gentleman from Nebraska think that the provision in the bill reported by the committee relating to the post-office in New York will give to New York City a post-office within the time in which that great city ought to have one?

Mr. MERCER. Mr. Speaker, in reply to the gentleman from New York, permit me to say that the three gentlemen from the city of New York who have made the most fuss upon the floor of this House about a public building in the city of New York have done more to retard that measure and have done less to give the city of New York any relief whatever than any other members upon the floor of this House; and if the committee had depended upon the three members referred to, who have occupied the time of this House, for information as to the situation in New York, nothing would have been reported by the committee with reference to that city. These three gentlemen have occupied the time of this House in giving data and evidence and information about the condition of affairs in the city of New York, and not one of them ever came before the committee and offered us a single line of evidence why we should do anything in the city of New York, and were it not for Representative GILLET, a member of the committee, and Messrs. McCLELLAN, CUMMINGS, SULZER, DOUGLAS, and other distinguished gentlemen from the State and city of New York who came to us and gave us this evidence the committee would not have been justified in even recognizing the city of New York in this bill. [Laughter.]

Mr. GOLDFOGLE. Mr. Speaker—

The SPEAKER. Does the gentleman from Nebraska yield further to the gentleman from New York?

Mr. MERCER. I gladly yield to the gentleman from New York.

Mr. GOLDFOGLE. Did not the entire delegation from New York wait upon the gentleman from Nebraska and implore him to report a bill for the construction of a post-office in New York, and did not the Representatives from New York in the House, when in Committee of the Whole, discussing the Post-Office appropriation bill, and in the gentleman's own room and elsewhere,

furnish the gentleman from Nebraska and his committee with statistics showing the absolute necessity for the erection of a post-office in the city of New York?

Mr. MERCER. In reply to the gentleman, permit me to say that the gentleman who is now addressing the House and the other gentleman from New York [Mr. CREAMER] never gave us a line of evidence or a line of information upon which we should act in the committee. They made all their speeches upon the floor of the House, and took good care to make their speeches when I happened to be absent and when other members of the committee were absent from the floor of the House. The truth of the matter is, Mr. Speaker, that the city of New York has been treated magnificently in this bill.

Mr. GOLDFOGLE. What! [Laughter.]

Mr. MERCER. Why, Mr. Speaker, the gentleman does not know that New York City is mentioned in the bill, apparently.

Mr. GOLDFOGLE. Oh, yes, I do; but in what way?

Mr. MERCER. We have authorized a commission, consisting of the Postmaster-General, the Attorney-General of the United States, and the Secretary of the Treasury, to select a site in the city of New York, in Manhattan borough. That commission must take its time and hear all the evidence and information and plans with reference to a building in that city before a site can be purchased. It is not a simple matter to purchase a site in the great city of New York. It may be expensive, and the location must satisfy certain conditions. These three men must decide as to those conditions. Now, it is utterly impossible to construct a building in New York or elsewhere without first obtaining a site, and it will take from six months to two years to buy this site, let this commission work as faithfully as they may. The committee in this bill also aids New York by adding \$1,000,000 to the limit of cost of the custom-house in that city.

Mr. GOLDFOGLE. Mr. Speaker—

The SPEAKER. Does the gentleman from Nebraska yield further?

Mr. MERCER. No; I do not yield any further.

The SPEAKER. The gentleman from Nebraska declines to yield further to the gentleman from New York.

Mr. MERCER. I desire to say, in conclusion, Mr. Speaker, that I think this bill will meet with the approval of this House almost unanimously, as I said before, and we court investigation. I think the bill will be passed almost unanimously. [Applause.]

Mr. DALZELL and Mr. GOLDFOGLE rose.

The SPEAKER. The gentleman from Pennsylvania.

Mr. DALZELL. I move the previous question.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the amendment.

The amendment was agreed to.

The question being taken on the adoption of the resolution as amended, on a division (demanded by Mr. RICHARDSON of Tennessee) there were—ayes 166, noes 33.

Mr. SIMS. The yeas and nays, Mr. Speaker.

The yeas and nays were refused, 16 members (not a sufficient number) rising in support of the demand therefor.

So the resolution as amended was agreed to.

And then, on motion of Mr. MERCER, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, with Mr. GROSVENOR in the chair.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the consideration of House bill 14018, pursuant to the special order of the House.

The Clerk proceeded to read the bill.

Mr. MERCER (interrupting the reading). Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. MERCER. Now, Mr. Chairman, in order to arrive at a fair distribution of the three hours, I ask unanimous consent that my colleague, Mr. BANKHEAD, control one half of the time and myself the balance.

Mr. RICHARDSON of Tennessee. You are both on the same side.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that one-half of the time allotted for general debate be controlled by the gentleman from Alabama [Mr. BANKHEAD] and one-half by the gentleman from Nebraska, chairman of the committee. Is there objection? The Chair hears none.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I do not rise to object. I want to say that both these gentlemen are upon the

same side of the question, and it is not usual for gentlemen on the same side to control all the time.

Mr. MERCER. I thought there was but one side to this question. [Laughter.]

Mr. RICHARDSON of Tennessee. It seems so; although 30 gentlemen voted against it.

Mr. MERCER. I will say to the gentleman there will be no trouble about time.

Mr. RICHARDSON of Tennessee. I am not objecting to the gentleman from Alabama [Mr. BANKHEAD] controlling the time; but several gentlemen have asked for time, and all who have asked it are opposed to the bill. I have no doubt the gentleman from Alabama will yield them time.

Mr. BANKHEAD. I desire to say that I have already agreed to yield time to two gentlemen on this question, and they are both opposed to this bill; and I apprehend that every gentleman who asks for time on this side will get it, because there will be but very few who are opposed to the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska? [After a pause.] The Chair hears none.

Mr. MERCER. I yield forty minutes to the gentleman from New York [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. Chairman, fully understanding that no ultimate good could be accomplished by so doing, as the matter had practically to be fought out in the committee, I have heretofore refrained from making any special remarks relative to any of the anticipated provisions for the interests of New York City which would be incorporated in the bill of the Committee on Public Buildings and Grounds until such measure was before the House for discussion, and even now I shall endeavor to state my views briefly and to the point.

I desire first to thoroughly indorse and say that I am in full accord with the statements that have been made by other gentlemen from New York City in regard to the absolute needs and requirements of our metropolis for a new uptown post-office building. Also that I fully agree and stand with them in the condemnation and repudiation of the criticism which one New York paper especially has seen fit to mete out to us, wishing to make it appear that we have been lukewarm and derelict in our duty toward the public and not mindful of the wishes of our city in this particular, nor appreciative of the great need for prompt extra postal facilities.

I believe that from the start of this session every man representing the city of New York on this floor has been in full sympathy with the object in view, and that they have done everything in their power to arrive at a proper conclusion of the question, and are still prepared to act in any manner which may benefit New York by securing necessary relief.

It does not require any flight of oratory, long speeches, or statistics, in my judgment, to show the absolute necessities of our city and prove that our needs for a new uptown post-office are urgent and imperative. It is not merely a local question, nor are we looking at it from any selfish standpoint, or desire it to satisfy our own pride, but it is a measure for the benefit of the whole country, and as much their interests as it is ours, as with the present cramped facilities and for the want of proper space to do the work beyond doubt the forwarding of mails rapidly and expeditiously as should be done is not possible. The employees are also called upon to work at a great disadvantage in the basement and other parts of the building not originally intended for that purpose.

The present post-office was built some twenty-five years ago, and our city and the country has nearly doubled in population since. We have also increased largely in intelligence, and letter writing has developed in a most wonderful degree—far beyond the proportionate increase based on population. During the past quarter of a century ten or fifteen millions of aliens have also come to this country, thus increasing enormously the foreign mails, and especially to Europe and nearby countries.

The immense growth of our import and export business has necessitated our merchants to increase rapidly their foreign correspondence, and it has expanded several hundred per cent during the period under discussion.

We must not overlook, as well, the through mail service, thousands of bags of letters and papers reaching our shores almost daily from China, Japan, Australia, New Zealand, the Philippine Islands, and other sections of the great East, now developing so rapidly, entering our portals at San Francisco, crossing the continent, and required to be handled in New York City, which is the great outlet for all foreign correspondence.

Then again we must not forget to mention the introduction of the typewriter, supplemented by the employment of stenographers, as practically all our business houses throughout the land, as well as many of our homes, are now enjoying these advantages, thus enabling a man or a woman to write probably a hundred letters a day, where previously by the pen and hand likely not more than

one-third or one-fourth of this number would have been sent out. All these combination of facts have so overtaxed our present facilities that it has become absolutely necessary for us to ask of Congress a generous and prompt response to our needs.

A special bill was introduced by our senior Senator and passed by the Senate for this purpose; and believing fully in the justice of our request, I should have preferred a special bill also to have come before the House, as immediate relief is what is required, and I do not believe that anyone on this floor would not have recognized our necessities and gladly have accorded us consideration. But there was a division of opinion on this matter even among the New York Representatives themselves.

It was then considered that an appropriation for a site and building with a New York commission was desirable; but finally, after a comprehensive discussion of the entire issue and its merits, the present provisions have been thought more feasible and perhaps more to the ultimate advantage of our city, and I wish to say here that, having followed the matter up closely, and practically weekly, I always found the chairman, the gentleman from New York State on the committee, and others desirous of doing what is right by our city and agreeable to our wants having proper consideration.

It is not often that more is granted than is asked for in matters of this kind, but let us look at the question for a moment from this point of view. The postmaster in New York City, as I understand, was anxious to have a building with light and ventilation, large floor space, and accessibility, but so that this could be secured quickly he was not so particular as to the building itself. It is evident, however, that by the provisions we shall now secure even more, as the commission are instructed to obtain a site accessible by streets on all four sides, thus insuring large space, plenty of light and air; and practically this provision means an entire city block, or its equivalent.

It further means that, having obtained a grand site, which this will give us, that we should also secure a building commensurate in importance to the site; and I do not question whatever that when the committee reports to this House, as they are called upon to do—and their instructions to purchase, I should say, are mandatory—that Congress will then willingly grant us a proper appropriation for a building which will be a credit and ornament to the city, and that we shall secure a splendid edifice which will be a pleasure to our citizens and those who visit us from other parts of the country and our foreign friends, and that we will hear no more of a single-story building, which would be entirely inadequate.

The original intention was to have New York men on the commission, but perhaps with wisdom, as it will avoid any possible criticism as to the selection of a site this has been changed, and the commission as named is composed of three upright gentlemen at the head of the most important departments of our Government, and as they will be able easily to obtain all the information they require as to the best likely position for the new building, we can undoubtedly intrust this matter safely to them, although I still believe it might have been well to have had one New Yorker on the commission, say the president of the chamber of commerce.

It is possible that the securing of final relief for New York under the provisions outlined may take somewhat longer, but it also seems clear that we shall ultimately benefit very much by the slight delay, and I think that people in New York City, upon giving the matter consideration, will be satisfied that they have been treated well, considering all the circumstances, and I will point out as well that the commission is not restricted as to the value of the site they are to purchase.

While speaking in connection with this bill I wish also to say just a few words in regard to another important issue which has not, I believe, been mentioned heretofore, and that is the New York custom-house.

I introduced a bill in connection with the completion of this building and have followed the matter up and am pleased to say that the present measure carries an extra appropriation of \$1,000,000 toward this object, and the building can probably be finally finished at an expenditure of one and a half millions, which amount we hope to finally secure. I would explain in relation to this appropriation that the building was originally intended to be only five stories in height and built of granite and limestone, also that the offices provided were for the collector, the surveyor, and the naval officer. It has since been deemed desirable that room would also be furnished for the down-town branch of the post-office, and accommodation for the collector of internal revenue, second division, and for the department or board of light-house inspectors, thus saving annually a large amount of money in rental for the Government.

This has necessitated increasing the height of the building by the addition of an extra story. When the building is completed the rental saved will be, for the collector's office, \$130,000; naval

office, \$16,500; internal-revenue office, \$7,500; and branch post-office, \$6,000, or a total of \$160,000, which amount is now being paid out yearly.

It has further been decided, and most wisely, to finish the building entirely of granite, so that we may have a strong and imposing structure which will be worthy of our city, and the site the building occupies, rather than having a building which would be imposing up to the third story and gaudy and cheap on the upper floors.

The New York custom-house is splendidly situated at the end of Broadway, facing north toward that grand avenue, overlooking Bowling Green, a small park. On the east it overlooks the fine building of the New York Produce Exchange; on the west, Battery Park, and on the south the magnificent buildings of the Cheeseborough Company. It occupies an entire city block, and has light and ventilation on all sides, also access. Therefore, reviewing these provisions of the bill, it seems that, after all, New York does not fare so badly.

We are granted for our new custom-house a million dollars to a million and a half. We will obtain a fine site for our new up-town post-office at probably a cost of not less than \$2,000,000, and finally a likely further expenditure of one or more millions for the building when we come to Congress asking their indulgence in this matter.

I therefore feel that we should accept in good faith the provisions as named in the bill, and believe that the people of New York will be well satisfied with what has been accomplished after giving the matter proper attention. [Applause.]

Mr. BANKHEAD. I yield five minutes to the gentleman from Illinois [Mr. FEELY].

Mr. FEELY. Mr. Chairman, in opposing this bill I have no criticism to make of the committee except that I deprecate their judgment. On December 10, 1901, I introduced a bill for a public building at Oak Park, Ill., the appropriation proposed being \$35,000. The same identical bill, without the crossing of a "t" or the dotting of an "i," was introduced by my predecessor in the previous Congress, Mr. Lorimer. I introduced that bill at the request of many of the leading citizens of the village of Oak Park. The representations that were made to me as to the desirability of this appropriation were such as could not be gainsaid. Subsequently, on the 4th of February, in response to a circular letter of the chairman of the committee, the postmaster of that place transmitted to him a letter, a part of which I will quote:

OFFICE OF THE POSTMASTER,
Oak Park, Cook County, Ill.

* * * Some of our reasons for thinking a public building should be erected in Oak Park are:

First, that the amount of postal business done here warrants the erection of a building. We have 14 letter carriers, 6 clerks (including assistant postmaster), and I have the recommendation of the assistant superintendent of free-delivery division that 2 additional carriers be allowed us when the appropriation for 1902 be available.

Second, that our present quarters are totally inadequate. Including substitute letter carriers, special messenger boys, and janitor, there are 25 persons employed in the office, with a space within the walls of only 1,749 feet. There is no swing room for the carriers, no lockers for the clerks or carriers, a lack of rack room, and inadequate toilet facilities for the female clerks; and the office occupies the same room it did when less than half the present force was employed.

Third, that the character of the public and private buildings in Oak Park, with its reputation of being one of the most beautiful places in the West, calls for a post-office building that will not discredit the National Government.

Fourth, that it will be more economical to spend \$35,000 for a building (at the rate of interest paid by the Government) than it will be to pay rent for such quarters as will have to be provided us.

Respectfully submitted.

W. A. HUTCHINSON, Postmaster.

I could add little to that, even if I had the time. The post-office at Oak Park serves three distinct villages—Oak Park, Harlem, and River Forest—the population of which in 1900 was, Oak Park, 9,653; Harlem, 4,112; River Forest, 1,664—a total of 15,439.

Mr. Chairman, we do not ask an appropriation for any building which, if erected, might be regarded as a magnificent monument. We do not ask that the United States Government shall squander any vast sum of money there. The simple, modest sum of \$35,000 to erect a post-office which would be in keeping with the growth and business of that city is all we ask.

I have nothing but words of praise for the Committee on Public Buildings and Grounds and its chairman. A day was accorded by the committee for hearing a delegation of the leading citizens of that place. They came on here with the support of two United States Senators from our State and several Representatives, all but one of the Representatives of our State being in accord with this proposition. We appeared before the committee and made our representations. Every courtesy was extended to us by the committee. Since then I have visited the committee very many times and received the assurance that the matter was receiving due consideration. I suppose that in the judgment of the committee the proposition did receive due consideration. I conceive

the proposition of the gentleman from Nebraska [Mr. MERCER] to be reasonable when he says that it is impossible for his committee to give favorable consideration to all the bills that are brought in here.

But I submit, Mr. Chairman, that the appropriation which we ask for Oak Park is less than one three-hundred-and-ninetieth part of the total appropriation carried by this bill. There will be 390 Representatives in the next House. I submit that no one on the committee, no one anywhere with a show of reason, has ever presumed to oppose this appropriation publicly on its merits. The two United States Senators from our State favor it. The delegation of the State in this House, with one exception, favors it. The people of that district are unitedly in favor of it. Of the \$35,000 asked, \$10,000 is for the site and \$25,000 for the building.

In justice to my predecessor in this House, who was by some thought to be opposed to this proposition, I wish to say that I have every assurance from him and his friends that he favored the proposition; that he saw no politics in it, and could not conceive how anyone could construe political benefit to come to anyone from such a plain business proposition as this.

But, Mr. Chairman, it seems that some people lie awake at night computing the political effect that combing their hair in the morning will have on the United States. Some people are so small, so picayunish, so devoted to a system of rat-hole politics that whenever a measure is introduced into Congress any Representative who takes an interest in its passage is at once a subject of their criticism, and at once they undertake to defeat him if by any means any credit—did I say credit?—sometimes discredit—can come to them by reason of that fact.

Mr. Chairman, this is my first term in this House. It may be, and likely will be, the last—for some time at least. I have endeavored while here to demean myself in a gentlemanly and measurably modest manner toward all the members of this House. I have received the fullest consideration, notwithstanding all the complaints about the rules, from nearly all the members of the House. But there has come to my hands evidence that there was in connection with this bill a secret and malign influence—not operating against me, because I have no political interest at stake. Operating against whom? The people of Oak Park, the people of Harlem, and the people of River Forest, communities aggregating 15,000 souls—a community of as fine a people as live anywhere in this country. They are pioneers worthy of every appreciation. What was a few years ago a bleak rural country they have transformed by their work and by their taste and their patience into what I consider one of the most beautiful residential localities in the world. It would have been a matter of great pride to me if I could have secured for them the consideration to which they are entitled.

I have to submit here a letter written by a member of this House, representing a constituency 20 miles distant from the boundaries of this post-office district, representing a constituency which has nothing in common, a district which is not territorially contiguous, and I will read this letter without comment. I will submit it to the fair judgment of every member of this House. I will leave its impression to lie where it ought to lie. The letter is as follows:

Mr. H. W. AUSTIN,
Oak Park State Bank, Oak Park, Ill.

DEAR SIR: My friend, Mr. Williams, subtreasurer, has indorsed your favor of recent date to me, and also written to me urging my aid in securing a Government building at Oak Park. In my judgment the only chance Oak Park had to secure a public building was through the reelection of Mr. Lorimer to Congress. If I remember correctly, the Oak Park people were not very enthusiastic in his support. Oak Park is in the district represented by Mr. FEELY, as far as the present Congress is concerned, and will probably have to wait so long as it is represented by a new member of Congress.

Yours, very sincerely,

J. R. MANN.

I submit, gentlemen, that while a man may be a new member of Congress, while he may endeavor to do all that is possible for his district with the cooperation of the United States Senators and the unanimous support of his State delegation, with one exception, yet it may be possible that such influences as I have referred to can defeat favorable consideration of measures he would introduce. I say again, Mr. Chairman, I have no criticism to make of the committee except as to their judgment. If there was sufficient conflict between those interested—in favor of and opposed to this measure—then the committee doubtless believe that they were justified in relegating the matter to the pigeon-hole where it may remain until the event referred to in the letter I have read may happen, at which time Oak Park may get the post-office which it desires.

Mr. MERCER. Will the gentleman from Illinois permit a suggestion at this point? I desire to say that the gentleman from Illinois was most attentive in his duties with reference to this matter and gave the committee all the information which he could secure, and the committee was very sorry that it could not

include Oak Park in this bill, and if it had not been for the complications which would have followed, and not political by any means, but business complications which would have compelled us to take up some other places in Illinois, we would have included Oak Park. If it had been the only one of the kind, Oak Park would have been included.

I yield one minute to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. DALZELL. Mr. Chairman, I have no desire to occupy the attention of the committee or to make any extended remarks. I wish to put in the RECORD a statement of facts which justifies the committee in one paragraph of the bill, that which relates to a public building at McKeesport, Pa. I ask unanimous consent that I may have the privilege to do so.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to insert the statement to which he refers in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The statement referred to by Mr. DALZELL is as follows:

McKeesport is a city of the third class, in Pennsylvania, with a population now estimated at 40,000, with rapidly growing suburbs—Glassport, East McKeesport, Versailles, and Dravosburg—increasing the total to about 50,000 people. It is situated on the Monongahela River, 15 miles above Pittsburgh, and, in addition to the Baltimore and Ohio, Pennsylvania, and Erie railroads, has three electric railway systems, which give regular and rapid communication with all surrounding districts. By these lines carriers leaving the McKeesport office could within twenty minutes deliver mail at the following points, now independent offices, namely, Duquesne, Dravosburg, Otto, Glassport, East McKeesport, Boston, Buena Vista, and Lincoln, all within 3 miles; and a 5-mile radius would include the towns of Turtlecreek, East Pittsburgh, Wilmerding, and Pitsa, in the Turtle Creek valley, and the towns of Coal Valley, Mendelssohn, Wilson, Hawkins, and Clairton, on the north side of the Monongahela. The first named are now reached by well-paved streets, with electric-car service, which within a year will also be extended to the river towns. These towns, like McKeesport, are all rapidly growing manufacturing centers, with a population of 30,000 people; so that McKeesport and the district contiguous to it, as a center for the rapid distribution of mail, now has a population of not less than 80,000, which must increase to 100,000 within three years. These 17 towns now receive from 4 to 6 mails per day, but were they connected with McKeesport would have from 10 to 30 mails per day, and all Eastern mails would be from two to five hours earlier, and one or more hours would be gained on the Western.

The growth of the Monongahela Valley has been phenomenal for the past five years and is more rapid to-day than at any previous period. It is one community from Pittsburgh to McKeesport, and in ten years the district from McKeesport to Monongahela—a distance of 18 miles—will also be a continuous town, connected by bridges from the bluffs at each bend in the river to the opposite plateaus, with paved streets and electric-car service from one end of the valley to the other. The most sanguine estimate of the population would likely fall short of the reality; yet it is reasonably safe to say that, including the towns mentioned in the Turtle Creek Valley and those in the Monongahela Valley—all within a 5-mile radius—with McKeesport as one post-office district, the next census would certainly show a combined population of 150,000 people, who would thus receive much better service at greatly reduced cost. To properly serve this district now from McKeesport would require facilities four times as great as we have at present, and the necessity for a modern building would at once be admitted.

Yet, aside from the advantages to the Department from such a service, the actual situation at the McKeesport office demands a radical change, even when only the district now covered by the carriers is considered. The present building has been occupied for sixteen years, and the service has outgrown it. The rent has been \$1,200, but changes and improvements must be made, and the rent has been raised to \$1,800 including some minor changes, or \$2,300 and make improvements as suggested by the Department. The room would then answer for a few years only, and we would soon outgrow it again. The Department advertised for a suitable room, but no offers were received. Rents are very high on Fifth avenue, the main business street, and sufficient space there would cost from \$4,000 to \$5,000 per annum. There are no buildings on the side streets sufficiently large to accommodate the office, and owners will not build for the purpose without the protection of a long lease at a high rental. The present service requires 8 clerks and 20 carriers, with receipts now over \$3,000 per month. Thirty-five mails are received and 31 dispatched daily, and about 2,200 money orders and registered letters are entered monthly. Owing to the fact that most of our manufacturing firms have Pittsburgh offices and get their special-request envelopes in that city, and that the main offices of our electric-light and gas companies are in Pittsburgh and collections are made by postal cards purchased there, the receipts of our office are from \$3,000 to \$4,000 per annum less than they should be, considering the work done in collecting and delivering these letters and postals.

That the importance of McKeesport has not been overstated is shown by the census of 1900, from which it appears that in the annual output of her industries McKeesport stands fourth in the list of cities of the State, with a total annual product of \$37,074,136, Philadelphia, Pittsburgh, and Allegheny only outranking her. Should we include with McKeesport only those towns which would be included within a 2-mile radius, as shown by the map, our city would be third and stand next to Pittsburgh as a manufacturing center. All that is needed is consolidation and the establishment of a central government for communities which are now one in hourly intercourse and all essential interests, and our rank as third city of the State would not be disputed, and statistics would not be required to show our need for a Federal building. Fortunately for our present purpose, municipal jealousies and corporate lines need not be considered, and the only matters of prime importance are the needs of the public and the economy of the service. We are a manufacturing people, hemmed into a narrow valley by high hills, and a denser population can hardly be found in any of our large cities, and our neighbors are in no respect more favorably situated. A public building will not only serve us better, but will more than double the facilities for their service, giving them free delivery and frequent mails—two essentials for which the Department is constantly striving. That there would be economy in a service such as has been suggested need hardly be stated with a population so dense as ours and so well supplied with paved streets and street-car service with 5-cent fare for 5 miles. To virtually stand still and continue methods a quarter century old in a district adding from five to ten thousand to its population annually is certain to result in inefficiency, as well as great expense and loss to the service.

As evidence of the extent and diversity of the industries of the McKeesport district, the following list, embracing the iron and steel furnaces and

other manufactories in operation within a 2-mile radius of the center of the city, is presented: National Tube and Pipe Mills, National Rolling Mill, Monongahela Furnaces, Monongahela Steel Works, Boston Iron and Steel Works, Seamless Tube Works, National Galvanizing Works, W. De Wees Wood Company's Works, United States Iron and Tinplate Works, Fifth-Sterling Steel Works, Wheeler Projectile Works, Duquesne Steel Works, Duquesne Blast Furnaces, McKeesport Tinplate Works, Pittsburgh Gas and Coke Works, United States Glass Works, Pittsburgh Steel Hoop Works, Severance Spike and Bolt Works, Pittsburgh Steel Foundry, American Ax and Tool Works, Pittsburgh and Lake Erie Railroad Shops.

The total value of these combined plants is estimated to be \$60,000,000, with a monthly product valued at \$10,000,000; the total number of men employed being 15,000, and from 1,000 to 2,000 men employed in other minor industries.

A reliable computation of the monthly pay roll of the works enumerated as being within 2 miles of the center of the city is \$750,000, or an annual pay roll of the enormous sum of \$9,000,000.

Mr. BANKHEAD. Mr. Chairman, I yield fifteen minutes to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Chairman, it must have surprised the members of this House to hear the distinguished chairman of the Committee on Public Buildings and Grounds remark that those who had spoken in favor of a new post-office in the city of New York had, by their insistence to secure action on the bill, done more than anyone else in retarding the committee in reporting the bill.

Just what the chairman of the committee meant by that I am at a loss to understand. If he meant that by firm advocacy of the bill for an appropriation for a new post-office, by repeated requests on the committee to act on the bill, by repeated calls of members of the New York delegation on the gentleman from Nebraska to secure his action, by earnest effort, from time to time, by that delegation in their endeavor to secure a favorable report upon the bill which the committee had in charge for the erection of a new post-office was to retard the measure, then, of course, the measure was so retarded.

The delegation from New York had met in conference. That conference was presided over by the dean of our delegation on this side of the House, our able friend, Mr. CUMMINGS. We discussed the question as to what action should be taken, what further efforts should be employed, and what other means should be resorted to to secure from the committee a report upon the bill. During that conference it was stated by members of the delegation that the gentleman from Nebraska had been called upon repeatedly and urged to make a report to the House on the bill for a new post-office.

Members of the delegation stated that the attention of the gentleman from Nebraska had been called to the conditions that exist in New York City, rendering it imperatively necessary that we should have improved postal facilities and adequate quarters for the transaction of our postal business in that great and growing city commensurate with the post-office needs. We united our efforts—gentlemen on this side of the Chamber and those on the other side of the Chamber—to secure action by the Committee on Public Buildings and Grounds.

In a body we called at the room of the Committee on Public Buildings and Grounds, and there we waited to see its chairman. We sent for him. We waited, and waited his will. After a while the gentleman came and deigned to see us. He did not even do us the scant courtesy of asking us to be seated. Coldly and austere he received our delegation and wanted to know what we wanted. Our spokesman, Mr. CUMMINGS, stated the views of the delegation. He told the gentleman from Nebraska what was urgently needed and most desired. He called the gentleman's attention to the need of a new post-office, but the chairman of the Committee on Public Buildings and Grounds did not venture any more response than that he would consult the members of his committee about it.

That interview took place some time after the gentleman from Nebraska had himself declared that the need of New York was aggravated and had expressed himself strongly in favor of a new post-office for New York City. The interview with the gentleman from Nebraska to which I refer took place after publications had appeared in some of the leading papers published in the metropolis calling his attention and the attention of the committee, as well as of Congress, to the needs for the desired improvement.

The gentleman from Nebraska said to-day that his attention had not been called to the needs of our city. Surely it can not be that the gentleman from the Far West is oblivious to the conditions obtaining in our great metropolis. It can not be that the chairman of so great and important a committee as he heads does not understand that one-tenth of the gross receipts of the entire postal service is obtained from New York. He can not be oblivious to the fact that an appropriation of \$2,500,000, which was asked, is but about 35 per cent of the net annual revenue from the postal service in the city of New York alone. When he made the onslaught on the entire New York delegation this morning on the floor of this House, he was oblivious to the fact that New York City—

Mr. MERCER. Will the gentleman permit a suggestion there?

I never made any onslaught on the entire delegation from the city of New York or the State of New York. My reference was made to the gentleman who is now occupying the floor and two of his colleagues who have spoken in reference to this measure. I referred to no other gentleman from the city of New York.

Mr. GOLDFOGLE. What did the gentleman who is now addressing the committee do to offend the chairman of the committee? He called respectfully upon the chairman of the Committee on Public Buildings and Grounds, with other members of the delegation, and in a perfectly polite manner asked for favorable action upon a bill the committee had in charge. Upon the floor of this House he arose and called the attention of the members to the conditions that make it necessary to erect a new post-office in New York City adequate for our needs. He submitted to the chairman of the Committee on Public Buildings and Grounds statistics which appeared in print in the CONGRESSIONAL RECORD.

He joined his colleagues in a respectful request for favorable consideration. What can the chairman of the Committee on Public Buildings and Grounds then mean? I pause to give the gentleman an opportunity of saying whether I did anything else, or whether my colleagues did anything else, in respect to the matter which was not agreeable to the committee.

Mr. MERCER. Do you want a reply? The gentleman from New York, and the other two gentlemen to whom I referred at the beginning of the session to-day, have never given the committee, so far as I know, a line of information. They made some speeches on the floor of this House. They did not even send us copies of their speeches.

Mr. GOLDFOGLE. Did you receive any information from any other member of the delegation?

Mr. MERCER. We received information from the able and distinguished gentleman from New York [Mr. CUMMINGS], one of the noblest Romans of them all, who I sincerely hope will soon recover from the illness from which he is now suffering. [Loud applause.]

Mr. GOLDFOGLE. Did he not furnish you full and complete information?

Mr. MERCER. He furnished the committee with some splendid information, and he never attempted to impede the progress of the committee with reference to this great project in New York.

Mr. GOLDFOGLE. I am glad that the gentleman from Nebraska has made that statement. If so able and efficient a member of this House as Mr. CUMMINGS has supplied the gentleman with full information, why did he not act upon it? Was it necessary for each member of our delegation to come to him and, like a mendicant on bended knee, beg the favor of audiences of the chairman of the Committee on Public Buildings and Grounds?

Mr. MERCER. If the gentleman from New York will permit, I think the committee are very familiar with the situation in New York, and have been for some time.

Mr. GOLDFOGLE. Did you not say this morning that you were not familiar with the situation?

Mr. MERCER. Most of the members of the committee have been in New York; they have visited the post-office there and know a great deal about it, and the committee has taken the very same course that was pursued with reference to the great Congressional Library and the great Printing Office in this city.

Mr. GOLDFOGLE. Will the gentleman point out specifically in what way any member of this delegation retarded action on the bill?

Mr. MERCER. The gentleman from New York who is now addressing the House, by making certain statements on the floor, by going out of his way to publish editorials from newspapers which had no foundation in fact, and which in a measure ridiculed the members of the New York delegation.

Mr. GOLDFOGLE. Does the gentleman mean to say that the editorial published in the New York Herald on February 28, read in my speech, is untrue?

Now, Mr. Chairman, the gentleman from Nebraska points to nothing beyond the making of a speech on the floor of this House which in any degree is claimed to have retarded action. Surely it can not be that in the performance of a duty assigned to a committee, a duty that ought to be faithfully and conscientiously discharged in the interest of the nation, the gentleman's wounded sensibilities, caused by the Herald's editorial, stopped him from doing what was right and just to the country at large?

I am surprised that the reading of a newspaper editorial from the Clerk's desk, calling the gentleman to account, is assigned by him for the committee's failure to report the bill for a new post-office. The post-office in New York is not a local, but a national institution.

Mr. MERCER. Will the gentleman yield to me for a question right there?

Mr. GOLDFOGLE. Yes.

Mr. MERCER. Does the gentleman from New York intend to vote against this bill?

Mr. GOLDFOGLE. I intend, if I can not get anything better, to vote for the bill. But I had hoped that we would have obtained something better. I trusted that the opportunity to offer an amendment would not have been cut off and that we could have secured, by way of amendment, a provision in the pending bill which would have speedily given to New York the post-office so much needed. No opportunity is afforded to anyone from New York to offer an amendment which will cure the defect in the bill.

The bill provides that a site shall be selected, but those who are to select the site are officials in Washington. There is no provision made in the bill for the erection of the building. On the contrary, the bill clearly contemplates there shall be further delay. Another Congress shall have to pass upon the question, and we shall have to go through the same logrolling which has characterized the action of the Committee on Public Buildings and Grounds with respect to the measure originally introduced. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I yield ten minutes to my colleague from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. Mr. Chairman, the support which I give this bill is not actuated or influenced in any manner by either local or personal considerations. It is true I was an earnest and I might be considered an active applicant before the Committee on Public Buildings and Grounds for the erection of a public building—a post-office—in one of the most flourishing and prosperous cities in the beautiful valley of the Tennessee—Florence, in the northern section of Alabama; but the committee saw proper in its judgment and wisdom to deny me that application; and the comfort that I take, Mr. Chairman, as to my disappointment is in the accepted theory that “faith is the substance of things hoped for,” and “to him that hath faith all things will be added, provided he abideth his time and patience;” and I find that I am sustained, Mr. Chairman, in that theory and belief in this paragraph which the committee, in its report, so appropriately uses. It says:

It is impossible to meet all the demands of the country at this session of Congress, but let us hope that this effort of the committee will be followed by a general desire on the part of Congress and the country that those cities where buildings are inadequate, or where new buildings are needed and which have not been recognized in this bill, may reap their reward at an early date.

Now, I am truly in that class—expecting to reap my reward at an early day. I am, Mr. Chairman, of that class of citizens who believe that it is a wise and patriotic policy for the Government to adopt, to erect substantial public buildings in all cities and towns where the public good and character of the business interests of the people demand it. I do not want to be understood as favoring a policy that would justify and excuse unlimited expenditures of public money at every village and every town throughout our whole country. That would be untenable and utterly unreasonable. But I am an advocate—and an earnest and a sincere one from a patriotic standpoint—of the inauguration of a policy that looks in the early future to the erection of a public building commensurate with the population and the business interests, and I refer now mostly to post-offices in every county seat of every county and State and Territory in this Union.

I say it will appeal to the pride and patriotism of the people, and it has another effect. It shows the people that they have a part and a parcel in their Government; that the Government is not a something that is intangible, but it is something that they can touch, reach, feel, and understand—not a mere creature to make laws and provide penalties. I believe it is the duty of the Government to localize the influence of the Government as far as can be done practically with common sense and good judgment. What better way to do this can be devised than a reasonable policy of erecting public buildings? Why, Mr. Speaker, we have all seen the effect of it. After locating a public building in a county seat, the people of that town and of that county point to it with pride. They say, “It is our public building.” They use the word “our.” They have an interest in it. They feel that the Government has done something especially for them and their neighbors, for their use and for their benefit. It gives the Government a name, an abiding place among them.

And I say, too, Mr. Chairman, that it is an economical matter. It is a matter that appeals, as to dollars and cents, to us not to be “penny wise and pound foolish”—a policy that we have pursued for many years in the past—but adopt a sound business policy. You can not take any business man or any firm of business men that have at their command anything to compare with the resources that the Government has that would pursue the policy that the Government has pursued for years past in renting private property for the transaction of public business.

Another idea, Mr. Chairman, is that it is the accepted theory, if I understand it aright, that the chief and first end, object, and purpose of the Government in all matters should be to enlist the love and affection, the aid and cooperation, and the loyalty of the

people. How best can this be done? What manner and in what way can we better accomplish these desirable ends than by placing among them public buildings—giving them object lessons, for that is what a public building is?

Why, Mr. Chairman, as I understand it, the spirit that inspired the homestead law, noble and patriotic as it was, and as it is in every respect, is nearly akin, is similar, and on “all fours” with the policy that I believe this bill reported by the committee is leading to. Why, the aim and end of this beneficent law was to create a happy, contented, frugal, prosperous, God-fearing people, by conferring upon them the unutterable blessings of a home. I say to-day, Mr. Chairman, that around the sacred altar of the humble home of the masses of the people of this country are born the grand and noble aspirations that give purity and strength and nobility to our republican form of Government. [Applause.]

Around the altar of these common homes that have been made by the homestead law we find the true nursery of American patriotism and of freedom—yea, of magnificent womanhood and manhood.

There is another feature, as I pass along, that attracts me to this bill. Why, there is no contest, political, religious, social, or otherwise, that can possibly bring up among the people the bitter and discordant feelings that accompanies the contest for the removal of a county court-house. It divides brother against brother, it arrays father against son, and creates the bitterest feeling. It leaves scars that time can scarcely heal. If you had a public Government building located there it would tend to quiet all of these dissensions and strife and make harmony and peace among these people.

Now, Mr. Chairman, I believe, as history has said, that a people are judged as to their refinement, their patriotism, their sociability, and civilization, and all that ennobles manhood, by the monuments they leave behind them; they are judged by these monuments that they erect to their heroes, their soldiers, their scholars, and their statesmen. I am proud to know that no section of our country has been derelict in splendid monuments to our noble men.

It can be as truly said that the public buildings of our country—magnificent structures—are as characteristic of a people as the monuments they have of their heroes. They speak to future generations.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. RICHARDSON of Alabama. Mr. Chairman, there is one thing that I wish to speak of in the State of Alabama that has met with rejoicing and more universal approbation than any one single act of that character that has been called to our attention within the last ten years. The general assembly of Alabama within the last two years passed a law directing and requiring that the United States flag shall float over every public school-house in the State. [Applause.] It is the emblem of our Government; it brings the people in closer touch—nearer to the Government. So it would be with a public building.

Now, Mr. Chairman, I see that the Committee on Public Buildings provides for the erection of a splendid and much-needed public building in the city of Washington. What citizen is there that can come from any section of our country and look upon these magnificent structures that has not his patriotism aroused and appealed to? We all want to see the capital of this, the greatest Republic in the world, noted for its magnificent structures—not a useless expenditure of money, but money expended wisely and prudently and discreetly. All of this will strengthen the feelings of patriotism among the people. I would be one, Mr. Chairman, and I believe the country could afford the expense to have so many of the good, plain people of this country visit the capital once every year and have their expenses and hotel bills paid to let them understand and see what their Government is. It would be a matter of pride to them and strengthen them in their patriotism and love of their country. Mr. Chairman, I acknowledge my thanks to my colleague [Mr. BANKHEAD] for his courtesy in extending my time. [Applause.]

Mr. MERCER. Now, Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. SIBLEY].

Mr. SIBLEY. Mr. Chairman, whether the policy of the Government in the construction of public buildings in the communities of the Union is wise or not seems to be questioned by some who are not so fortunate on this occasion to find the home towns in their communities represented in this measure. The Committee on Post-Offices and Post-Roads in the consideration of their appropriation bill of this year found it requisite to appropriate \$8,000,000 for the rental of buildings for postal purposes. At the present interest rates and price of Government bonds these rentals would provide for a public building at the cost of \$100,000 each

in every city of the United States containing 10,000 people and upward which is not already so provided and still leave several hundred thousand dollars each year in the Government Treasury. My judgment is that this measure is to be criticised, not because it provides for so many public buildings, but because it does not provide for more. That the Government should erect public buildings in the cities of the nation is a policy demanded not alone by the needs of the service, but by reasons of economy as well.

Mr. MERCER. I yield ten minutes to the gentleman from Tennessee [Mr. GAINES].

[Mr. GAINES of Tennessee addressed the committee. See Appendix.]

Mr. MERCER. Mr. Chairman, with reference to the town of Springfield, Tenn., in reply to the remarks made by the distinguished gentleman from the district in which that town is located, I desire to say that it was utterly impossible for the committee to take cognizance of claims of this character. Springfield in 1900 had a population of 1,732, and its gross postal receipts were \$3,138.49.

I yield two minutes to the gentleman from Ohio [Mr. TOMPKINS]. Mr. TOMPKINS of Ohio. Mr. Chairman, as under the rules the pending bill is not subject to amendment, it is not my desire to occupy the attention of the committee on this subject for any length of time. I simply wish to join in the general expression of disappointment which doubtless prevails among many of the 400 who presented their claims for the consideration of the Committee on Public Buildings and Grounds and get nothing substantial. I felt that the claims of the city of Columbus for the enlargement and alteration of the public building already erected and now in use there were sufficiently strong to persuade the committee favorably to include in its omnibus bill an appropriation for the purpose indicated.

It was my privilege to appear before a subcommittee of that body, accompanied by a number of gentlemen sent here from the Board of Trade of Columbus, and statements were made to that subcommittee, which accorded us every privilege and every courtesy that could be expected or asked. The committee has not seen fit to include any appropriation for Columbus, but we drew a consolation prize in the recommendation made in this bill to the effect that the Secretary of the Treasury and the Postmaster-General take steps to investigate the conditions at Columbus to ascertain the necessities there and report to Congress at its next session. I also draw consolation from the suggestion of my good friend from Alabama [Mr. RICHARDSON] that we should live in hope by reason of the recommendations made in this bill where no appropriations have been provided.

I ask unanimous consent that the statement made to the Committee on Public Buildings and Grounds in presenting the claims of the city of Columbus may be printed in the RECORD as a part of my remarks on this occasion.

The CHAIRMAN. The gentleman from Ohio [Mr. TOMPKINS] asks unanimous consent that the statement heretofore presented to the Committee on Public Buildings and Grounds may be printed as a part of his remarks in the RECORD. Is there objection?

There was no objection.

The document referred to is as follows:

WASHINGTON, D. C., February 1, 1902.

THE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
House of Representatives, Washington, D. C.

GENTLEMEN: On behalf of the Board of Trade of Columbus, Ohio, we beg leave to submit the following facts concerning the need for an enlargement of the Government building in said city. These facts are carefully compiled from the official records of the several departments of the Government, and show in a striking manner the inadequacy of present accommodations for the Government service in Columbus:

A. GENERAL FACTS.

The present public building was first occupied in 1885. By the census of 1880 the city had 51,647 population. The census of 1900 gives it a population of 125,500. This is in an area of only 16.25 square miles. If the city bounds were proportionate with those of cities like Toledo, Cleveland, or Buffalo, there would be included in the city limits to-day not less than 140,000 people. Taking the population actually shown by the 1900 census within the city limits, there has been a growth of 125 per cent since the present building was constructed.

No city in the United States is growing more rapidly to-day than Columbus. In the calendar year 1900 the official records of the city inspector of buildings show that 1,800 new buildings were erected, a larger number than were constructed in the same period in the city of Buffalo, N. Y.; twice as many as were built in Omaha, Nebr., and 75 per cent of the number constructed in Pittsburgh.

Within the past few years the city has come into great prominence as a growing center of iron and steel making, and the records of the United States Steel Corporation show that at no point in the Central West can iron or steel be made more cheaply. This industry promises great development within the next decade. Already Columbus stands fifth among the cities of the United States in the number of shoes manufactured annually, and this business is growing at the rate of 25 per cent per annum. Other factories which have grown to large proportions in the past are now building new works, doubling, and in some cases trebling, their present capacity.

The shops of the Pan Handle Railroad Company are being enlarged, at an

expenditure of more than half a million dollars, with a proportionate increase in their already large force of employees, which numbers 1,500 or more.

A dispassionate review of the progress of the city during the past two years will convince any student of affairs that the rate of increase in population during the next decade will be larger than it has been in the past. It is conservative to say that by 1910 there will be 200,000 people immediately tributary to the Federal building of the city of Columbus, and it must be adequate to meet the need of that great population, fourfold that of the city when the present structure was planned.

Moreover, as the capital of the fourth State of the Union, the Government building ought to be one that would be commensurate with the dignity and power of the State. Both from this standpoint and from that of the third greatest manufacturing city in Ohio the necessity of the enlargement asked is manifest.

B. GROWTH OF PUBLIC BUSINESS.

When the present Federal building was planned, the establishment at Columbus of a department of the Pension Bureau was not contemplated. This is now one of the largest branches of this great Bureau in the United States, having on its rolls 105,000 pensioners and distributing annually more than \$16,000,000. Already this bureau is greatly cramped for room, and if the plan now suggested, of making monthly instead of quarterly payments to pensioners, is carried out, the number of employees and the space necessary must be doubled. This department now occupies about 25 per cent of the total floor space of the present building, or an aggregate of over 3,700 square feet. Every room is crowded and the space for the necessary file cases, etc., is wretchedly inadequate. The present work of the bureau imperatively demands an increase of not less than 1,200 square feet, while the probability of the payment of pensioners monthly would require an increase of fully 4,000 square feet to give this bureau the space its importance demands.

When the present Government building at Columbus was constructed the city was not a port of entry. It was so constituted in 1889. Last year approximately \$500,000 worth of goods were imported at this point. This great volume of business was transacted without any facilities for keeping goods in bond, other than a little corner of the basement, about 10 by 15 feet. The great risk in having goods in bond scattered at random in railway depots, storage warehouses, and held in cars on side-tracks only needs to be mentioned to emphasize the inadequacy of the present building for public purposes.

The central location of the city of Columbus, from which radiate in every direction fifteen lines of steam railway and nine interurban electric lines, constructed or under construction, makes it an especially important point in the Railway Mail Service. At the present time this important branch of the service has no quarters in the public building, but has been compelled to seek them outside at a relatively high rental, and it has been impossible to secure the dormitories necessary for the proper housing of the men in this service to promote their health and comfort.

During the past ten years this force in Columbus has increased 50 per cent, and 138 men are now tributary to this office. More postal clerks report to Columbus and work from this city than from Louisville, Ky., or Detroit, Mich., both much more populous centers. The absence to-day of any room for the proper keeping of the supplies which this Department requires; the absence of any general office, where maps can be consulted and general instructions given, and the unhandy, badly arranged quarters which are inevitable in the case of rented rooms make it imperative that some provision be made at once for the proper housing of this important branch of the public service in Columbus by an enlargement of the Government building.

The post-office business in the city of Columbus has vastly increased since the present building was planned. In 1887 the total post-office receipts of the city were \$130,000. For the calendar year 1901 they reached the great total of \$405,000, an increase in 15 years of more than 300 per cent. The sales of stamps for January, 1902, were more than \$12,000 in excess of the same month of 1901. A conservative estimate of the growth of the post-office business in Columbus indicates that by 1910 the receipts of this office will approximate, if not exceed, \$700,000. When the present building was first occupied but 29 employees were required to handle the work of the office, this number including carriers. To-day, with the most economical and efficient business management of any post-office in the United States, handling its large volume of business at less cost to the Government than can be shown by any other office of a city of like size in the United States, 120 men are employed.

Between 1889 and 1899 the number of pieces of mail handled at the Columbus office increased from 14,000,000 to 38,000,000, or almost threefold. The Government's net revenue for the fiscal year ending June 30, 1901, from the Columbus post-office amounted to \$262,079.53, almost enough in itself to meet the entire expense of the improvement asked for. The absolute needs of this office to-day demand at least twice the floor space which the Government building now affords it. Every department is crowded to the utmost. The stamp clerks have a room only 8 by 11 feet; the register department, including lobby and vault, only 16 by 18 feet. No adequate quarters for the prompt handling of the mail exist at the present time, and the public suffers constant inconvenience and delay, notwithstanding the most conscientious effort upon the part of the officials to prevent it.

The Federal courts now occupy 5,350 square feet, approximately 30 per cent of the total floor area of the building. A movement is on foot, made necessary by the increased business of the Federal courts in Ohio, to create a district judge located permanently at Columbus. It is certain that this will be necessary in the immediate future and will require at least 75 per cent more floor space than is now occupied by the Federal courts.

The United States Weather Bureau is now housed outside of the Federal building at a large expense. It requires at least 2,000 square feet of floor space. With the proper enlargement the location of the Government building fits it to accommodate this important branch of the public service at a large saving to the Government.

The internal-revenue department has grown quite as rapidly as the post-office. The receipts for the fiscal year 1890 did not reach \$300,000. For the year 1899 they exceeded \$1,120,000, an increase of more than 300 per cent. This department is crowded, as is every department in the public building, and should have at least 1,000 square feet more space.

At a conservative figure, the present needs of the public service in the city of Columbus require a building with twice the floor space of the present structure, and the future development of the city makes it certain that even this enlargement will not be adequate to meet the requirements ten years hence. The recent location of an immigration inspector and the great development of the rural free-delivery service, in connection with the other departments mentioned, emphasize most strongly the imperative need for the immediate construction of a building with a floor space of not less than 25,000 square feet additional to the present area of about 17,800 feet.

The Federal Government already owns sufficient ground upon which to erect the additional building, without expenditure for site. The lot occupied by the Federal building is 159 by 189 feet, of which the present structure occupies a space 75 by 130, standing back 15 feet from each street. This leaves a space 90 by 189 feet, fronting on Third street and immediately south of the present building, which is sufficient for the erection of a structure that will meet the needs and be worthy of the city and the State for a decade or more to come.

To recapitulate in few words: Since the present Government building was constructed the population of Columbus has increased more than 125 per cent. The pension bureau and the surveyor of the port have been established, requiring between them approximately 30 per cent of the total floor area of the present structure, neither of which were contemplated when the existing building was planned. The cash receipts of the post-office department have grown over 400 per cent in fifteen years; the amount of mail handled has increased in the past ten years almost 300 per cent; the internal-revenue receipts in the last ten years have increased nearly 300 per cent, and the net revenue of the combined Government departments in the city of Columbus has reached a figure that will pay for the enlargement asked in less than five months.

This, gentlemen, is a concise, dispassionate statement of plain facts. No argument is necessary to enforce it or to make clear the reasonable request which we now make. The proper and safe conduct of the public business in Columbus demands the improvement provided by this bill, and the volume of business and the importance of the city as a great center of industry and population justifies the expenditure.

Respectfully submitted.

JOHN T. RASSELL,
SAMUEL G. MCCLURE,
ELMER J. MILLER,

Committee of the Columbus Board of Trade.

Mr. MERCER. Mr. Chairman, with reference to the proposition affecting the city of Columbus, Ohio, I desire to say that the distinguished gentleman [Mr. TOMPKINS] who has the honor of representing the district in which that capital city is located has given this matter his best attention, has answered all the calls made upon him by the committee for information, and has made the best presentation of the case that could be made; but the situation in Columbus is of such a character that the committee felt that the information before it did not justify it in taking any action unless the information should prove to be exactly correct. For that reason the committee decided that rather than make a mistake in the city of Columbus it would provide for an investigation of the situation there and for a responsible report, and that when such a report was made to Congress by those appointed to investigate the committee would then be in a better position to legislate thereon.

I find that in December, 1882, a site was purchased in Columbus, Ohio, 189 feet square, at a cost of \$58,500. It was bounded on the north by State street, on the west by Third street, on the south by Chapel alley, on the east by Lazelle alley. A contract was awarded for the foundation on November 14, 1883. The first story was occupied by the post-office October 1, 1887, and the other stories were completed a few weeks thereafter, the cost of construction being \$264,588.96, the total cost of site and building to date being \$334,345.50. The building is of Berea, Ohio, sandstone, and covers an area of 184 by 75 feet, and has cubic contents of 793,954 feet, a very fair building in size for a city of the size of Columbus. The data we had might lead us to conclude that more space is needed in that city, but we did not have sufficient information to justify us taking any action at this time aside from the recommendation we have made in the bill.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. LANDIS having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. CROOK, one of his secretaries.

OMNIBUS PUBLIC-BUILDING BILL.

The committee resumed its session.

Mr. BANKHEAD. I yield ten minutes, or so much as he may need, to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, I desire just for a moment to refer to that part of the bill on page 8 which reads as follows:

United States post-office and court-house at Elizabeth City, N. C., from \$100,000 to \$120,000: *Provided*, That said building shall be erected upon the site in said city now owned by the Government of the United States.

Under the rule adopted, and under which the House, as in Committee of the Whole, is considering this bill, no amendments are in order or can be made to the bill. Therefore my remarks shall be confined to matters in explanation of my own position and the action of the Committee on Public Buildings and Grounds of this House.

So far as the increased limit of cost from \$100,000 to \$120,000 is concerned, I make no comment or criticism, because I feel very sure that the committee have given the claims of this city thorough consideration; and although the increase is not as much as we desired or as much as was recommended by the Treasury Department, still I feel that the committee gave that city the best consideration, under the circumstances, which they thought it deserved. But I do desire to make a word of explanation in regard to the provision which is to the effect that the building shall be located upon the site already owned by the Government. On the 3d day of February I introduced a bill to increase the limit of cost of that public building from \$100,000 to \$125,000. In the Fifty-fifth Congress (March, 1899) this public building was originally authorized and the limit of cost fixed at \$50,000.

At the last session I introduced a bill by which the limit of cost

was increased from \$50,000 to \$100,000. During this session, on the 3d day of February, I introduced a bill to further increase the limit of cost from \$100,000 to \$125,000. After I had introduced this bill, increasing the limit of cost to \$125,000, a committee from the Chamber of Commerce of Elizabeth City appeared before the Assistant Secretary of the Treasury, Hon. H. A. Taylor, and the Supervising Architect of the Treasury, Hon. J. K. Taylor, representing that the site owned by the Government was not a proper site, and that it was advisable to purchase another site. As a result of these representations the Treasury Department agreed that it would recommend to Congress legislation authorizing the purchase of another site. To that end I introduced on the 28th day of February a bill authorizing the Treasury Department to acquire another site for this court-house and post-office and custom-house building at Elizabeth City, and on the same day I introduced a bill increasing the limit of cost to \$135,000, which bills I shall append as a part of my remarks.

These bills were referred by the House Committee on Public Buildings and Grounds to the Treasury Department, and I shall ask to have incorporated as a part of my remarks the replies of the Treasury Department both to the bill increasing the limit of cost to \$125,000 and to the two bills increasing the cost to \$135,000 and authorizing the Treasury Department to purchase or condemn a new site. I will simply say that the Treasury Department recommended the passage of the two bills, one of which authorized the purchase of a new site, but suggested that the bill be amended, leaving it discretionary with the Treasury Department as to whether or not they would acquire another site in the future. This was the situation when the several bills came for consideration before the Committee on Public Buildings and Grounds.

At this point I ask the attention of the distinguished chairman of the Committee on Public Buildings and Grounds [Mr. MERCER] to the statement which I shall make. I had stated to the committee representing the Chamber of Commerce of Elizabeth City, and also to the distinguished chairman and the gentlemen of the committee, that I should take no part in the selection of a new site or in the recommendation of a new site, but that so far as I was concerned it should be left entirely to the citizens of Elizabeth City on the one part and the Treasury Department and to the Committee on Public Buildings and Grounds on the other to determine that question. I was not present when the committee acted nor had any notice of same until they had concluded their action. In that connection the distinguished chairman stated to me that the committee had considered this matter and had determined to include a proviso in the bill increasing the limit of cost, providing that the building should be constructed on the site now owned by the Government. I ask the chairman if that statement is not correct?

Mr. MERCER. I desire to say to the gentleman, in reply to his inquiry, that a site has been purchased in Elizabeth City at an expense of \$4,000. We found upon investigation that it would be impossible to dispose of that site for much more than half that sum; and the committee, after investigation, reported that the present site was of ample size and suitably located for a building such as was to be erected there, and took the sole responsibility in making the provision in the bill that the building should be erected on the site now owned by the Government of the United States. The statement of the gentleman is correct.

Mr. SMALL. I thank the distinguished chairman of the Committee on Public Buildings and Grounds for making that statement. I only wish to put myself right with the committee and right with the citizens of Elizabeth City. This city has the reputation, deservedly, of being one of the most progressive cities in North Carolina. Its population, according to the last census, was 6,344, which represented an increase of more than 50 per cent over the census of 1890. It possesses an intelligent and progressive class of citizens. Its manufacturing interests are multiplying, and its wealth and population are increasing at a phenomenal rate. They are entitled to have a suitable public building commensurate with their needs, commensurate with the revenue and the business of the post-office there, adequate to the demands of the United States court, and also with the requirements of the custom-house.

I may say that a bill has passed the Senate and is now pending in this House to remove the custom-house from the town of Edenton to this town of Elizabeth City. While a great many may think the present site is not suitably located, they have had a fair opportunity to present the matter to our Committee on Public Buildings and Grounds if they desired to do so. That committee in its wisdom, for the reasons stated, concluded to retain the present site, in which they acted on their own judgment and responsibility, without advice or request from me, directly or indirectly.

With the consent of the House, I will include in my remarks the documents I have referred to.

A bill (H. R. 10707) to increase the limit of cost for the purchase of a site and the erection of a public building thereon at Elizabeth City, N. C.

Be it enacted, etc., That the amount heretofore fixed as the limit of cost for the purchase of a site and the erection of a public building for the accommodation of the United States post-office and other Government offices in the city of Elizabeth City, in the State of North Carolina, be, and the same is hereby, increased to \$125,000, which sum is hereby fixed as the limit of cost for the erection of said building, including the cost of a site therefor.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 18, 1902.

SIR: Referring further to the request dated the 12th instant, from your committee, for a report in connection with H. R. 10707, providing for the increase of the limit of cost of the public building at Elizabeth City, N. C., from \$100,000 to \$125,000, I have the honor to advise you that it is estimated that an increase of limit to the amount stated, namely, \$125,000, will be necessary to provide for the construction of the building in a fireproof manner.

Respectfully,

H. A. TAYLOR, Assistant Secretary.

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

A bill (H. R. 11909) to acquire a new site for the court-house and post-office at Elizabeth City, N. C.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise a new site in the city of Elizabeth City, N. C., and to erect thereon the Federal building authorized by the act of Congress approved March 2, 1890, payment for said new site to be made from the appropriation heretofore made for "court-house and post-office, Elizabeth City, N. C."

Sec. 2. That the Secretary of the Treasury is further authorized and directed to sell at public or private sale, at such time and on such terms as he may deem to be to the best interests of the United States, the land already acquired in said city as a site for said Federal building, and to deposit the net proceeds of such sale in the Treasury of the United States as a miscellaneous receipt.

A bill (H. R. 11910) to increase the limit of cost for the purchase of a site and the erection of a public building thereon at Elizabeth City, N. C.

Be it enacted, etc., That the amount heretofore fixed as the limit of cost for the purchase of a site and the erection of a public building for the accommodation of the United States post-office and other Government offices in the city of Elizabeth City, in the State of North Carolina, be, and the same is hereby, increased to \$135,000, which sum is hereby fixed as the limit of cost for the erection of said building, including the cost of a site therefor.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, March 26, 1902.

SIR: This Department is in receipt from you, with request for reports thereon, of H. R. 11909, to acquire a new site for the court-house and post-office at Elizabeth City, N. C., and H. R. 11910, providing that the amount heretofore fixed as the limit of cost of said building, namely, \$100,000, be increased to \$125,000.

In connection with H. R. 11909, for the acquisition of a new site, you are advised that said bill meets with the approval of this Department, and favorable action thereon is recommended.

It is suggested, however, that the words "and directed," in line 4, page 1 of said bill, be stricken out and the words "in his discretion" be inserted in lieu thereof, the effect of this suggested change being to authorize the Secretary of the Treasury, in his discretion, to secure a new site for said building. It is also suggested that after the word "directed," in line 12, page 1 of said bill, the words "in the event of the acquisition of a new site" should be inserted.

In connection with H. R. 11910, to increase the present limit of cost to one hundred and thirty-five thousand dollars (\$135,000), you are advised that it is estimated that an increase of limit to this amount will be necessary, in the event of a change being made in the location of said building, in order to provide for the erection of the building and to cover the additional cost of new site.

Respectfully,

H. A. TAYLOR,
Assistant Secretary.

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

Mr. MERCER. Mr. Chairman, I now yield fifteen minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, I have been a member of this House for a great many years, and I am now nearer the achievement of a public building within my district than I have ever been before during all that period of time. And yet I represent a rich and growing section of a great State. I imagine that there is much lack of information in regard to the situation in the State of Ohio in the matter of public buildings. The Sixth Congressional district, represented by Mr. HILDEBRANT; the Tenth Congressional district, represented by Mr. MORGAN; the Eleventh Congressional district, which I have the honor to represent; the Fifteenth Congressional district, represented by Mr. VAN VOORHIS; the Sixteenth district, represented by Mr. GILL, occupy upon the map of the country a vast territory, extending from Cincinnati almost north to the national road and eastward almost to the city of Pittsburg, and in that whole territory of five Congressional districts and nearly 30 counties there is but a single public building, and that is located at the city of Portsmouth and cost the munificent sum of about \$30,000, as I recall. I could point to other Congressional districts in Ohio in the same condition.

There is a larger concession of public buildings in the States lying along the Pacific coast and the interior in the intermountain section in proportion to the wealth and population than there is in the State of Ohio.

Now, there are five Congressional districts to which I have pointed, and these Congressional districts, looking over them with my familiarity with the people and their purposes and their desires and their actions in the matter of public improvement, brings this suggestion to my mind: While on that vast territory there is but a single small public building, the people of these counties have erected court-houses—in some of them at a cost of upward of \$300,000—and in the little county in which I live and where I do not ask at this time for a public building we have a court-house which to-day would cost far more than the money that the little building will cost which I propose at Chillicothe.

In the city of Chillicothe there is a court-house built by taxation drawn from the people of that county, involving an expenditure in the original structure and the improvements made to it recently which, I presume, has amounted to at least \$150,000. This shows to the House that the people of the country are willing to invest their money directly in the building of public structures for the accommodation of the public business.

I find that the city of Chillicothe stands No. 77 on this list of cities in point of population, and yet her population was not quite 13,000 by the last census. There are 76 cities of a smaller population than the city of Chillicothe provided for in this bill. Nevertheless I presume that in every one of these cities that is the county seat the people of that county have built a court-house and jail, or other public building, far in excess of the cost of the appropriation covered by this bill.

Why, the schoolhouses in some of the States covered by this bill, the common schoolhouses, have cost far more money than the Government buildings here provided for.

The city of Chillicothe is located in the Scioto Valley, on a stream which runs high up in the State above the middle of the State formed by the Olentangy and another stream, and flows down through one of the richest valleys that the sunlight of heaven ever shone upon.

At the city of Chillicothe is located, of course, the post-office, which pays a rental of a large sum, considering the character of the town, and in the city we have had for a long time a collection district where is located the internal-revenue collector's office for one of the rich collection districts of the State of Ohio. It is situated about 45 miles from the Ohio River in the valley of the Scioto River which, running all the way from the capital city of the State, mingles its waters with that of the Ohio River at the city of Portsmouth. It was the ancient capital of the State of Ohio, a city famed in the early history of that Territory and that State, and it was the capital until the removal took place which carried it to a more eligible and more central section of the State.

It has been a city famous in the history of the State of Ohio. The Virginia military district covered the land titles in the Scioto Valley, and gentlemen generally are familiar with the history of those land titles. At the time of the cession by Virginia to the General Government of the territory northwest of the Ohio River the State of Virginia, which was in its early history one of the most generous and liberal of all the States of the Union to the men who had fought the battles of the country, reserved a great portion of very valuable land to be occupied by the soldiers of Virginia who had fought in the Indian wars and other wars of the country.

So it was that a large body of men, good citizens, ambitious and hopeful, emigrated from the State of Virginia into the valley of the Scioto and its tributaries, and carried with them land warrants issued by the State of old Virginia and became settlers in the new world. In the old times among these and their descendants was a large body of Whigs, but in later years when issues unknown to the earlier days came, many of them, following the teachings and impressions of Virginia politics, became Democrats.

The valley of the Scioto and its tributaries have produced many of the conspicuous and distinguished men who have crowded the pages of Ohio's history with the record of their good deeds and great achievements.

Allen G. Thurman, one of our greatest statesmen, best lawyers, and purest men, was a resident originally of Chillicothe, having been born at Lynchburg, Va., and coming with his father at an early date to the Scioto Valley. William Allen, the famous citizen of Fruit Hill, lived and died a citizen of Chillicothe, and in the beautiful cemetery on the top of the hills overlooking the city lie buried the remains of four governors of Ohio—Tiffin, McArthur, Worthington, and Allen. Here also lie the remains of Gen. Nathaniel Massie, who was entitled to have received and held the office of governor of Ohio, but because of his feeling that he ought not to take an office for which he had not received the majority vote of the people, although his opponent was ineligible, declined the office. So the remains of five governors of Ohio lie in this beautiful cemetery, from which the visitor overlooks one of the grandest panoramic views anywhere in the world, I think. The hills to the right, the hills in the front, the hills to

the left, the magnificent farms spread out like a beautiful carpet, all that can be imagined of beauty in landscape spreads itself out to the admiring gaze of the visitor.

On the east of Chillicothe is a splendid range of hills, which are memorable in connection with the early statehood of Ohio, the first great seal having engraved upon it emblems of agriculture, emblems of transportation in the form of a canal service; and the rising sun, suggestive of the glories that were to follow, makes its appearance coming up between the peaks of the high hills.

I remember one very beautiful morning starting before sunrise with President Hayes to travel from Chillicothe to Columbus by railroad. As we were passing eastward toward the station the sun was just rising, and General Hayes, who was a lover of all things of this character, stopped and pointed and said, "There is the view that suggested the old seal of the State of Ohio." For all time, no matter what changes may come, the outgrowth of the genius and intelligence of men, the great feature of the old seal of the State of Ohio will make itself apparent to the people of Chillicothe in all the coming ages.

The people who settled there were men of high distinction. I could not, without invidious comparisons or elaborate extension of my remarks, do justice to the long list of grand men who have impressed themselves and their characteristics and their patriotic purposes upon the population and action of the people of Chillicothe and Ross County.

Gen. Nathaniel Massie founded the city of Chillicothe in 1796, and selected for his permanent residence, however, a beautiful tract of land in the Paint Creek Valley, a stream tributary to the Scioto, one of the most beautiful valleys on the map of the world. But time would fail me if I attempted to speak of the grand men who settled in that neighborhood. What I have already said is hardly pertinent to the question under consideration. I have referred by name only to those who became conspicuous in the directions I have indicated.

As I have said, Chillicothe is located in one of the richest valleys in the world, and is the commercial center of that valley. A canal, still owned by the State, traverses the valley from the mouth of the river away north beyond Columbus, and railroads center in Chillicothe from all parts of Ohio. It is situated upon a great through line of railroad between St. Louis and the city of Baltimore, and thence to New York.

The inhabitants of this section of Ohio are the production of the commingling of various races. The cavaliers, to whom I have already referred, and the men of the Ohio Company's purchase, who spread themselves out from the Raccoon Valley into the Scioto Valley, commingling blood of the Puritans with the blood of the cavaliers, and making a population second in intelligence, patriotism, wealth, and character to no other population of equal size in the United States.

So, Mr. Chairman, in expending a few dollars for the purpose of erecting a public building in that city and placing upon it that flag for which the fathers and the grandfathers of the men and women of to-day fought both under the organization of old Virginia and in the achievement of her independence in connection with the colonies, as well as in the introduction of the great States into the brotherhood of States, you accomplish a purpose which, in my judgment, is commendable in the highest degree.

If I could have my way about it, there would be an American flag upon a public building in every considerable city in the Union. [Applause.] Since I have been a member of Congress I voted for a bill that would have given to every city in the Union with a population above a certain number a public building. I think now it would be money well expended to carry out such a project. I rejoice that the time has come when in planting the American flag upon any foot of the soil of the United States we need not have any fear that it will ever be looked upon again as the representative of injustice, unfairness, or oppression against the people of the United States or against the people of any other country. [Applause.]

Mr. BANKHEAD. I yield five minutes to the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN].

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I acknowledge that at first I thought the three hours allowed for debate on this bill would be unnecessary. But since the discussion has begun I see the necessity for such debate. I am one of those who are not satisfied with this bill, though I shall vote for it. The grounds of my objection are its omissions and its limitations, especially the limitation as to cost of sites. But, Mr. Chairman, realizing that in the present parliamentary situation this bill can not be amended in this House, it is unnecessary for me to say anything about those omissions and limitations; and, therefore, I wish to express my gratification at the recognition which this bill contains of the town of Durham, N. C.

As is well known to the chairman of the Public Buildings Committee and to every member of that committee, I have to the last

moment diligently and persistently urged that the proposition for another city in my present Congressional district should also be included in the bill. I refer to the bill introduced by me to enlarge the building at Greensboro, N. C. The omission of that meritorious project in this House bill has been to me a disappointment. Yet I have a confident hope that before Congress adjourns the Greensboro measure will become law, and I am glad to say that for the realization of that hope I have positive encouragement from the best sources. As to Durham, my predecessor in Congress introduced in the Fifty-third Congress a bill for a public building at that place. He reintroduced it in the Fifty-fourth Congress; and on the fourth day after I was first sworn in as a member I reintroduced it in the Fifty-fifth Congress, and thereafter in the Fifty-sixth and the Fifty-seventh Congresses.

In the Fifty-fifth Congress the Public Buildings Committee made a favorable report upon the bill for a public building at Durham, but that was one of the few unfortunate towns whose bills were not reached during the time allowed for the consideration of bills reported by that committee. Now, I am glad to see that Durham is included in this bill and that in all likelihood there will soon be a public building erected there. The bill that I introduced carries \$100,000, but owing to the last estimate furnished the Public Buildings and Grounds Committee by the Treasury Department, the committee put Durham in this bill at \$70,000, in accordance with that estimate.

Now, Mr. Chairman, Durham is a very important town. As in the Fifty-fifth Congress, in a speech on this floor, I gave statistics regarding Durham as she then was, I want to give some as she now is. Its population, according to the last census, was 6,679, but the township of Durham under the last census had 19,055. The truth is that about 15,000 of those people belong to the town of Durham, though not within its corporate limits at the time the census was taken. The last legislature of North Carolina, which met in January, 1901, enlarged the corporate limits so that to-day my information is the corporate limits of the town of Durham contain over 12,000 people, and in addition there are some populous communities adjoining the town.

The town of Durham during the last fiscal year paid to the Government in internal revenue \$2,589,721. I notice with pleasure that the chairman of the Appropriations Committee [Mr. CANNON] smiles at that great contribution which Durham made to the Federal Treasury. Practically every dollar of this internal revenue is paid upon tobacco. The receipts from the post-office during the last fiscal year were \$19,400.25. Durham is also a port of delivery. During the eleven months ending June 30, 1901, 2,046,293 pounds of manufactured tobacco were exported from this port to foreign countries, and upon that tobacco not a cent of revenue was paid.

In 1885 the post-office receipts amounted to \$5,545. In 1895 they were \$11,707; in 1899, \$14,982.90; in 1900, \$17,111.65; in 1901, \$19,400.25.

Mr. Chairman, I want to congratulate the people of Durham upon the probability of their soon seeing, as the gentleman from Ohio [Mr. GROSVENOR] wants to be seen everywhere in such towns, the United States flag flying from a Federal building; and I want to congratulate this House that this good town, which has been knocking at the doors of Congress for ten long years, is at last about to receive 70 per cent of the recognition which her people and their Representative think she is justly entitled, as this bill carries for her \$70,000 instead of \$100,000. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GILLET of Massachusetts having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

- S. 4419. An act to incorporate the General Education Board;
- S. 3967. An act for the relief of Ramon O. Williams and Joseph A. Springer; and
- S. 1191. An act for the relief of the legal devisees of James W. Schaumburg.

OMNIBUS PUBLIC-BUILDING BILL.

The committee resumed its session.

Mr. MERCER. I yield five minutes to the gentleman from New Jersey [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Chairman, section 20 of this bill directs the Secretary of the Treasury, the Postmaster-General, and the Attorney-General to make a report to the next session of this Congress upon the selection of a site, cost of building, etc., for a post-office in Jersey City. My understanding is that the committee desires plans and estimates before making an appropriation, and my further understanding is that this course will make but a few months' delay. Of course I would rather not have even this delay, but the bill is not, under the rule adopted, subject to amendment, and I am bound to express to the chairman of the

committee and his fellow-members my appreciation of the courtesies they have extended to me during the several hearings given to Jersey City's application. In order that the commission may have a few statistics before them and that all the members of this House may be fully informed of the conditions imperatively demanding an appropriation for Jersey City, I desire to record a fair statement of present postal facilities in that municipality.

To those members of the House who are familiar with Jersey City argument can not be necessary to prove that municipality entitled to relief from Congress in the matter of the erection of a suitable public building to be used by the postal, revenue, judicial, and other departments of the United States Government. To those who have seen the city only while in transit to New York a few facts may be of benefit in arriving at a proper conclusion. The present building was purchased under legislation enacted in 1873, and is constructed for a private dwelling house, the inside of which would not be found extensive for a family of ten members. It was purchased by the Government in 1875, and was then in a residential section, which has since, by the encroachments of manufacturing establishments and railroad lines, been almost wholly transformed. It is now, for a large majority of the population and for visitors from New York and elsewhere, inconvenient of access, miserable in appearance, furnishing an eyesore for residents, and a topic for the ridicule of visitors.

The following letter from the Treasury Department shows the cost to date:

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, February 25, 1902.

HON. ALLAN L. McDERMOTT, M. C.,
House of Representatives, Washington, D. C.

SIR: Your letter of the 24th, instant, addressed to the Secretary of the Treasury, relative to the appropriations made for a post-office building at Jersey City, N. J., has been referred to this office for response.

The records of this office indicate that in pursuance of acts of Congress approved March 3, 1873, and March 3, 1875, a plat of ground at the intersection of Sussex and Washington streets, Jersey City, N. J., with a brick building thereon, which had been used as a residence, was purchased October 21, 1875, for the sum of \$70,000. In 1877, under authority of an act of July 31, 1876, this building was remodeled, and was occupied again in the latter part of that year. The total appropriations to this date were \$112,000. Subsequently there was an additional appropriation of \$4,000 for improvement of grounds, and in 1889 a one-story addition was built and some minor changes made at a cost of about \$12,000, which sum was appropriated by an act of March 30, 1888. It would therefore appear that the total amount appropriated for the building named, aside from the regular annual cost of maintenance, was \$128,000.

Trusting that this information may prove to be what you desire, I am,
Very respectfully,

J. K. TAYLOR, Supervising Architect.

Its purchase was a mistake, and its continuance in the public service is a detriment so positive that no parallel can be found in the dealings of the United States with the necessities of the people in any other section. The city is compactly built; covers an area of 13 square miles, is lighted by over 2,500 public lights, has about 250 miles of streets, and a population of over 200,000. It contains the terminal depots and lands of the Pennsylvania, Delaware, Lackawanna and Western, Lehigh Valley, Baltimore and Ohio, Erie, Philadelphia and Reading, and half a dozen other railroads. The value of its real estate, including railroad terminals, is about \$200,000,000. Millions of dollars have been expended in the erection and equipment of manufactories, and we here find the works of the American Sugar Refining Company, the Lorillard Tobacco Company, the Dixon Crucible Company, the Colgate Soap Company, the Corcoran Windmill Works, the Griffin Iron Company, and hundreds of other corporations whose correspondence reaches every part of the world. In addition to these, over 2,000 corporations doing business outside of New Jersey have their offices in Jersey City. The correspondence of these concerns alone demands greater facilities than can be afforded in the present post-office. The following letter shows the growth in postal receipts at this station:

FEBRUARY 25, 1902.

HON. ALLAN L. McDERMOTT,
House of Representatives.

SIR: In compliance with your request of the 24th instant, addressed to the Postmaster-General, I have the honor to furnish you herewith a statement of the receipts of the Jersey City (N. J.) post-office for each fiscal year from 1878 to 1901, inclusive:

1878.....	\$12,800.33	1890.....	\$134,005.89
1879.....	41,011.82	1891.....	161,580.85
1880.....	67,020.03	1892.....	170,537.09
1881.....	59,888.82	1893.....	202,470.05
1882.....	66,798.48	1894.....	194,378.31
1883.....	72,683.20	1895.....	205,514.77
1884.....	74,736.46	1896.....	259,745.83
1885.....	75,151.50	1897.....	218,558.71
1886.....	83,001.20	1898.....	209,641.09
1887.....	82,693.59	1899.....	225,391.04
1888.....	85,277.72	1900.....	262,499.19
1889.....	119,872.44	1901.....	271,841.51

The records in this office do not show the receipts of individual offices for years prior to 1878, therefore it is impossible to furnish the record for the above office for the fiscal years 1873 to 1877, as requested by you.

Very respectfully,

W. M. JOHNSON,
First Assistant Postmaster-General.

In 1875 the receipts were less than \$38,000, and it therefore appears that there has been practically no increase in accommodation, while the business of the office has increased over 700 per cent.

So pressing are the necessities that the Secretary of the Treasury has decided that there must be an addition of some kind to the present building for immediate use. I have declined to introduce a bill for this purpose, believing that money expended in this way would be thrown away and that the immediate wants of the Department should be met by the renting of an additional building, to be used while a proper one is in course of construction. Almost every foot of space within the building is used by employees, and a dozen callers for letters must crowd each other into the street.

No other community is similarly afflicted, and no one can suggest a reason why the really great city of Jersey City should have this intolerable nuisance continued. The city has a city hall erected at a cost of over \$1,000,000, school buildings that have cost several millions, and office buildings costing from \$100,000 to \$700,000 apiece. The public spirit and business enterprise that have done these things should not be depressed by having them offset by the maintenance in the name of the National Government of a public building that would not properly answer the requirements of a city of 20,000 inhabitants. With the exception of the \$100,000 appropriation mentioned, the National Government has never expended a dollar within the city of Jersey City for an improvement of any kind, while hundreds of other municipalities have been favored far beyond their needs, and the pleas upon which these favors have been granted have not had safe foundation in any rule of governmental economy. All that Jersey City requests is that the Government of the United States shall show proper respect for itself.

MR. MERCER. I yield ten minutes to the gentleman from Pennsylvania [Mr. EVANS].

MR. EVANS. Mr. Chairman, the committee, in the bill reported to the House, has appropriated the sum of \$20,000 for the purpose of securing a site upon which to erect a public building in the city of Johnstown. I presented to the House a bill asking for an appropriation of \$125,000 for the purpose of securing a site and erecting a public building at that place; but the committee, in its judgment, did not see proper to recognize us in our application as set forth in the bill, and instead of that made the appropriation which I have referred to in the bill.

To my mind the wants and the needs of Johnstown in this direction are many; and while I am not here complaining as against the action of the committee in this particular, yet I believe that the application in the original bill should have been recognized. Johnstown is a city situate in the central part of the great State of Pennsylvania, and the history of that city in some particulars is well known to the people of this great country of ours. She is situated in the Conemaugh Valley, and in 1889 her people were almost wiped out of existence, and a great part of the city was destroyed by the dreadful flood which occurred in that year. Yet we find that in 1890, the year following the flood, the population of that city was some 21,000 people, and in 1900 the population had increased to some 35,000 people.

In order to indicate to the House the needs of this city for a public building, I wish to call attention to the receipts and expenditures for the year 1901 of the post-office in that city. In 1901 the total receipts for the fiscal year were \$47,764.92, and the total expenditures were \$22,657.70, leaving for the year 1901 a net revenue of over \$25,000. Yet we are accorded only \$20,000 for the purpose of obtaining a site for this city. We find that we are in a somewhat helpless condition, because we can not move an amendment to increase the amount in this bill. We should have been glad if we could do so; but however that may be, it does seem to us that the amount accorded is commensurate with the extent of the business in that city.

Now, the information before the committee as to the cost of a site on which to locate a building in this city ranged, I believe, from \$35,000 to over \$50,000. I very much fear that the amount appropriated in this bill will not be sufficient to secure a site in a desirable location in the city. However that may be, we desire to be in a position to lay before the House the needs and wants of the city as based upon the amount of business which is done there.

The total population of the city, as I have already said, is over 35,000, but there are adjacent boroughs that do their business through the Johnstown post-office, and the population of those adjacent boroughs amounts to something in the neighborhood of 14,000 people, making a total population doing business through that office of over 50,000 people.

Now, in glancing over the list of appropriations made for buildings in Pennsylvania I can say that but a single one of the cities named is greater in population than the city of Johnstown, and only a single one of these show an amount of receipts flowing through the post-office greater than those in Johnstown.

Now, Mr. Chairman, while we appreciate our helpless position, we hope that the action of the committee in this bill has placed us on the highway to securing that to which we feel that we are entitled. [Applause.]

Mr. MERCER. Mr. Chairman, I desire to say for the gentleman from Pennsylvania [Mr. EVANS] that he has done all in his power to convince the committee that a building should be authorized at Johnstown.

The city of Johnstown is peculiarly situated. The topography of the country is unusual, and the building space in that city is confined within very narrow limits. The city government of Johnstown owns a piece of ground 66 feet square, and when the delegation from that enterprising city came before our committee evidence was offered that most likely the city would donate that much of ground for a site, and that additional ground could be purchased which would enlarge the site satisfactorily and at a cost not to exceed twenty or thirty thousand dollars. The remark was dropped that possibly \$20,000 would satisfy the requirements for the purchase of additional ground. The distinguished gentleman [Mr. EVANS] is inclined to think it will take more money than that. The Treasury Department in its estimate to the committee indicates that \$25,000 will be sufficient. Our information is that \$20,000 will be ample, and I am inclined to think that the enterprising citizens of Johnstown will see to it that the Government obtains a site within those figures.

In reply to the gentleman from New Jersey [Mr. McDERMOTT] I desire to say that Jersey City is one of the largest cities in the East without a commodious public building. The Government of the United States has already expended in Jersey City \$147,539.08 toward the purchase of a site and the construction of a building in that city. The present site cost in the neighborhood of \$71,390, and was purchased August 15, 1875. The same site to-day can not be sold for over \$25,000 or \$30,000. It is in size 200 feet by 100 feet, but is situated in that part of Jersey City where land values have decreased. The business center of the city has gradually moved westward. To purchase a site for Jersey City will cost a good deal of money, and the committee was not satisfied with the data it had before it to act thereon without further information; and it has recommended in this bill a further investigation of the situation at Jersey City.

The gentleman from New Jersey [Mr. McDERMOTT] has been very diligent in this matter, has been before the committee several times, and has responded to all inquiries put to him in reference to this matter, and I trust in the early future that Congress will find itself justified in furnishing that enterprising city with a commodious public building.

Mr. VANDIVER. I did not hear all that the gentleman said; but I understood him to say that that had been purchased there in 1875 for \$75,000, and no building erected on it yet.

Mr. MERCER. The gentleman really misunderstood me. The Government purchased a site at that time, but at that time there was a building on the site. It was a private residence belonging to a wealthy man of that day, and the Government has utilized the building, with the additions added to it since, up to the present time.

Mr. VANDIVER. But the gentleman says at the present time that it would not sell for \$25,000?

Mr. MERCER. I do not think it would sell for over \$25,000.

Mr. VANDIVER. How does the gentleman account for that wonderful decline in value?

Mr. MERCER. Because business has moved away from that portion of Jersey City, and the valuable portion of the city is now in a different direction from that in which the present office is situated. The gentleman is aware in a city such as Jersey City the business center sometimes moves from one place to another, and in Jersey City it has actually left the place where the present office is situated.

Mr. VANDIVER. Does the gentleman think the commission will ascertain the fact that it was not a reasonable investment when it was made?

Mr. MERCER. I have been informed that the Government paid really more than it should have paid at the time the property was purchased.

Mr. VANDIVER. I should think so.

Mr. McDERMOTT. If the gentleman will allow me to answer the gentleman from Missouri—

Mr. MERCER. I yield to the gentleman.

Mr. McDERMOTT. In 1875 property in the vicinity of the present post-office site was very valuable for residential purposes, but, in my opinion, at least 30 per cent more than its real value was paid for the property. Since then the uses to which property in this vicinity is put have been wholly changed. The site is not now convenient for carriers or the public. Of course there are differences of opinion as to where the post-office should be located, and, after going over the available sites with the chairman of the committee, I am not inclined to scold because he and the

others of the committee have decided to leave the selection to a commission. After that commission has decided the character of building Jersey City is entitled to, I think it would be well to advertise for proposals for a site; but whether this course or some other is pursued, I am satisfied that a commission composed of the Secretary of the Treasury, the Attorney-General, and the Postmaster-General will recommend that which will meet the approval of the people of Jersey City.

Mr. BANKHEAD. I yield five minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS of Illinois. Mr. Chairman, in the few minutes which I have I only desire to enter my own protest against this method of appropriating public money. I have no doubt but what there are many public-building bills included in this which ought to pass. I am equally certain that there are those without merit, or very little, if any, and in order to secure the appropriation where it is deserved in this bill you are compelled to vote for appropriations which you feel are not meritorious. There would be just as much reason for the Committee on Rivers and Harbors to bring their bill before this House under such a rule, preventing any amendment or change in a single item.

If the Committee on Rules of this House proposes to adopt this system of appropriating the public money, and the members of this body sanction it, the time will come when appropriation bills other than such as this will be put through in such method. It is simply enlarging the powers of the Committee on Rules. All you have to do is to satisfy that committee, or a majority of it, that these items are right and ought to be passed. There is as much justification to adopt a rule for the benefit of the Committee on Appropriations to put through any appropriation bill that comes into this House without any amendment whatever, requiring the members to vote for every item.

Mr. MERCER. Will the gentleman permit me an inquiry?

Mr. WILLIAMS of Illinois. Certainly.

Mr. MERCER. I believe the gentleman was a member of the Fifty-fourth Congress?

Mr. WILLIAMS of Illinois. No, sir; I was not.

Mr. MERCER. The Fifty-fourth Congress passed a river and harbor bill with twenty minutes' discussion, covering \$60,000,000.

Mr. WILLIAMS of Illinois. That does not make it right. I do not know whether it was open to amendment or not. I was not in that Congress.

Mr. MERCER. It was not open to amendment.

Mr. WILLIAMS of Illinois. Was it under suspension of the rules?

Mr. MERCER. Yes.

Mr. WILLIAMS of Illinois. Then it was passed under the rules of the House, and two-thirds of the members voted for it.

Mr. MERCER. Two-thirds of the members are in favor of this bill. [Laughter.]

Mr. WILLIAMS of Illinois. I suppose if you have two-thirds of the members in the bill, that is true. [Laughter.] But, Mr. Chairman, that does not justify this proceeding. I care not whether a precedent has been established or not, it ought not to be followed. You have often heard of appropriations being log-rolled through the State legislatures, but I never have witnessed a system of more public barter in legislation than is now going on in the House of Representatives. What does the Committee on Public Buildings and Grounds do when a member introduces a bill? They virtually say we will put your bill on the Calendar. We will report it favorably, providing that you will vote for 175 others that we are going to report. If that is not bribery, what is it in parliamentary language?

Now, I suppose the gentlemen who have public buildings in this bill feel under obligations to support it, and will. I am not prepared to say that in such a case members of Congress do not owe some duty to the public in general as well as to the people of the town or city in which the public building is to be located. Now, you might just as well bunch together all the pension bills that are brought before this House and logroll them through without amendment. Make the good bill pull through the bad bill. The time to stop this practice is in the beginning, and if you continue it this same rule will be adopted by other committees in the appropriation of public money, and I hope, Mr. Chairman, that this will be the last time that 175 or 200 bills appropriating money are linked together in order that those that have merit may pull through those that have none.

Mr. MERCER. Is the gentleman from Illinois in favor of economy in these matters?

Mr. WILLIAMS of Illinois. If I thought the gentleman from Nebraska was ever sincere, I would answer him; but my observation is that he simply tries to make a little fun in order to get his bill through.

Mr. MERCER. If I was trying to make fun of the gentleman from Illinois, I would show his picture; I would not say anything about him. [Laughter.]

Mr. WILLIAMS of Illinois. Oh, it is admitted by all the members in the House that the gentleman from Nebraska is one of the handsomest men that ever came to Congress [laughter]; exceedingly handsome; and I do not have to prove it, because the gentleman from Nebraska admits it. [Laughter.] I hope, while I am not as handsome as the gentleman, I have more courtesy than the gentleman showed toward the gentleman from New York this morning.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WILLIAMS of Illinois. Mr. Chairman, I ask for two minutes more.

Mr. MERCER. Mr. Chairman, I take pleasure in yielding to the gentleman two minutes more of my time.

Mr. WILLIAMS of Illinois. I thank the gentleman. I accept that as sufficient consideration for the compliment paid him. [Laughter.] Now, Mr. Chairman, I do not doubt but that the Committee on Public Buildings and Grounds are just as careful in their consideration of these matters as any other committee, but it is simply assuming that the bills which they report are perfect and that this House is not capable of improving them.

I am not objecting to the bringing in of the several public-building bills all in one bill, but I say this House ought to have the right to amend, to strike out, and insert, and if there is a place in it where they are trying to appropriate money which ought not to be appropriated, the House ought to have the opportunity to remedy it. I do not know how meritorious they all are. I see one town of 1,800 people where they have an appropriation of \$100,000. It may be right. I see another town, in Iowa, of 8,000 people, where the Treasury estimate was \$75,000. The committee, in its generosity, has allowed \$100,000. Perhaps an examination and discussion of the case would show that the other \$25,000 was necessary or ought to be stricken out.

I only refer to this to show that the proper way to deal with these questions is to give an opportunity to amend and to strike out and insert, the same as you do in the river and harbor bill and in other appropriation bills. I say the effect of it is that when you lump together a large number of bills in which a majority of the House of Representatives are interested and put them all into one bill, members are induced to vote for it that you could not induce to do a wrong with any amount of money, and yet it is a form of bribery and nothing else; and I do not believe the people of the United States, when they get an understanding of the reckless methods by which their money is being appropriated in this way, will give it their approval. [Applause.]

Mr. MERCER. Mr. Chairman, as I said at the outset, we have 400 bills before the committee, aggregating not less than \$67,000,000, and if we had come into the House with all these public-building bills I am afraid my friend from Illinois would have been sadly disappointed from an economical standpoint, for in that case the authorizations would have been nearer \$60,000,000 than the amount in this bill.

Mr. WILLIAMS of Illinois. I had no hope that less money would be appropriated, but it might go where it ought to go if it was considered and appropriated by the judgment of this House.

Mr. MERCER. Now, Mr. Chairman, in view of the fact that, so far as I know, no one else desires to address the Committee of the Whole, I desire that the report of the committee be read in my time.

The CHAIRMAN (Mr. GROSVENOR). The gentleman from Nebraska asks unanimous consent—

Mr. CREAMER. I object.

The CHAIRMAN. The Chair will state the proposition and then the gentleman from New York will be recognized to make objection. The gentleman from Nebraska asks unanimous consent that the report of the Committee on Public Buildings and Grounds be read in his time. Is there objection?

Mr. CREAMER. I object.

Mr. MERCER. I did not ask unanimous consent. I asked that the report be read in my time.

The CHAIRMAN. Objection is made; and the Chair will state to the gentleman that when objection is made a paper can not be read in Committee of the Whole except by a vote of the committee. The gentleman is at liberty to make the motion.

Mr. MERCER. Well, Mr. Chairman, in view of the fact that the gentleman from New York [Mr. CREAMER] has objected, I desire to say that the following is the report made by the Committee on Public Buildings and Grounds. [Mr. MERCER proceeded to read the report.]

Mr. FINLEY (interrupting the reading). Will the gentleman yield to a motion that the report of the Committee on Public Buildings and Grounds be read at the Clerk's desk?

Mr. MERCER. I will.

Mr. FINLEY. Then, Mr. Chairman, I make that motion. The motion was agreed to.

Mr. MERCER. I desire to thank my friend from South Carolina [Mr. FINLEY].

The Clerk proceeded to read the report.

The CHAIRMAN (when the reading had proceeded some time). The time of the gentleman from Nebraska [Mr. MERCER] has expired.

Mr. MERCER. I ask the gentleman from Alabama [Mr. BANKHEAD] to yield to me so much of his time as will permit the reading of the report to be finished.

Mr. BANKHEAD. I will yield the gentleman all of my time except five minutes.

The CHAIRMAN. The Chair will stop the reading at such a point that the gentleman from Alabama [Mr. BANKHEAD] will have the five minutes which he reserves.

The Clerk resumed the reading of the report.

Mr. MERCER (interrupting the reading). Mr. Chairman, I ask unanimous consent that the rest of the report be printed in the RECORD without reading.

There was no objection.

The entire report is as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, respectfully recommend the passage of the same and report thereon as follows:

Over 400 bills authorizing public building legislation have been introduced and referred to this committee. The sum total thereby requested amounts to over \$65,000,000. The demand for public buildings not only comes from the States and Territories, but we have had it from Porto Rico, Alaska, and Hawaii, all of which gives evidence of the fact that the Republic is growing with astonishing rapidity. The business of the Government keeps pace with the general growth of the country, but Congress seems to lag in its relief. It is impossible to meet all the demands of the country at this session of Congress, but let us hope that this effort of the committee will be followed by a general desire on the part of Congress and the country that those cities where buildings are inadequate, or where new buildings are needed and which have not been recognized in this bill, may reap their reward at an early date. This bill carries an increase in the limit of cost of 58 public buildings now erected or in process of erection, providing for additions, repairs, or the purchase of additional ground in order that the present site may be enlarged.

Total authorization for increase.....	\$5,111,450
Treasury estimate.....	10,792,950

Section 2 provides for the erection of public buildings upon ground owned by the United States Government. In San Francisco the present custom-house is an old building, having been erected and occupied in 1856. The importance of San Francisco as a shipping center and customs district justifies Congress in this authorization. Pending the destruction of the present building and the erecting of a new building the customs officials can be temporarily housed in the appraisers' stores building, thus saving to the Government pay for rent of temporary quarters.

In Emporia, Kans., a site was authorized by the Fifty-first Congress. The Fifty-fifth Congress authorized the purchase of sites in Hastings and Norfolk, Nebr., as United States courts are held in these cities.

In Guthrie, Okla., a public square has been reserved to the Government for the use of public buildings.

Total authorized for the above six buildings.....	\$1,236,000
Treasury estimate.....	2,230,000

Section 3: Several cities in the United States have offered to donate to the Government of the United States satisfactory building sites. This committee has recognized in this section the more meritorious propositions, there being sixteen, at a—

Total authorization of.....	\$1,835,000
Treasury estimate.....	2,305,000

Section 4 authorizes the purchase of sites and the erection thereon of public buildings within a fixed limit of cost. Seventy-eight cities are recognized.

Total authorization.....	\$8,548,000
Treasury estimate.....	10,782,000

Section 5: In this section the committee authorizes the purchase of sites in 16 cities within a limit of cost fixed. The committee believes that a public building should be erected in each of the cities named in this section, but not being able to justify an authorization now, thought it advisable to buy sites before they increased in value. It would be economy for the Government to secure building sites in cities where public buildings are contemplated as far in advance of the authorization as possible.

Total authorization.....	\$675,000
Treasury estimate.....	4,600,000

Section 6: The city of Washington, with about 300,000 population and the capital of the Republic, is without a municipal building. Her servants are crowded in rented quarters poorly lighted and overcrowded. Your committee is of the opinion that the time has come to relieve this "long-felt want," and in this section the purchase of a site and the erection thereon of a municipal building is authorized. It is to be located south of Pennsylvania avenue upon the only available vacant square of ground to be obtained in this locality. In this connection the committee desires to go on record as favorable to the improvement of Washington. We look upon this city not simply as a municipality in the District of Columbia, but rather as the capital of the richest nation on earth, and we feel that as our capital it should receive encouragement and assistance from all sections of the nation. Washington belongs to the people of the United States, and they will rejoice at all efforts made by Congress to beautify and improve her surroundings. The few people who live in Washington should not be expected to bear the brunt of taxation for such purposes. Your committee hopes for the time when public-building legislation in Washington will be along broad, not narrow, lines.

The authorization for increases of limit of cost, as provided for in section 1 of this act, are based upon Treasury estimates, but the committee, after very careful consideration, has made allowances below the estimates furnished.

The only large increases are at New York City and Cleveland, Ohio. In the former place the custom-house has a commanding location on the Battery overlooking the bay, and in order to have the material in construction of the same kind throughout the building it is necessary to increase the limit of cost. The building when completed will serve New York City for several generations.

In Cleveland the Government engineer, by borings, discovered a defective foundation. The old building, now razed to the ground, was erected upon a crust of hardened earth and gravel, and a few sky scrapers in Cleveland in the immediate locality are similarly situated. Recent borings show that beneath the crust is a lake of sand about 34 feet deep, and in order to secure a safe and permanent foundation for a heavy building, as is to be the Federal building which will be erected upon the present site, more expensive work will be necessary than originally contemplated. Cleveland has in contemplation a so-called "group plan" for public buildings, and desiring to have the Government building as the corner stone of such a plan, the change in lines of site is authorized. If Cleveland carries out her present purpose of grouping the new court-house, city hall, art gallery, auditorium, and other public buildings with reference to the lake and the Federal building, and surrounds each building with parking, Washington will have a rival city for the reputation of being the most beautiful city in the world.

The city of Richmond, Va., needs relief; but the present building, which is historical as well as permanently constructed, can be made most acceptable by enlarging the site so that it will face both Main and Tenth streets. Your committee provides for an enlargement of the site. When that is done the present building can be enlarged and renovated into one of the best public buildings in America, and in a very economical manner. In this connection your committee includes a brief history of the present Federal building at Richmond:

"Among historic structures owned by the United States the Federal building in this city is perhaps richer in association with notable men and events than any building owned by the Government outside of Washington.

"It was built just in time to be occupied by the Confederate government. President Davis and his cabinet and General Lee and his officers were familiar figures about the building in the war period.

"Afterwards, when the Federals regained possession, an indictment was returned in this building against President Davis, whose final release, under bond, a year later, took place also in this building.

"Recently the Treasury Department asked the custodian of the building for a brief sketch of the structure. In response Mr. John S. Bethel, custodian, has prepared and forwarded to Washington the following history of the building:

"MR. BETHEL'S SKETCH.

"SIR: I have the honor to inform the Department, relative to information asked for by letter dated the 10th instant, that this building is located on Main street, between Tenth and Eleventh streets. It fronts on Main street and also on Bank street. It was finished and occupied in the year 1858. It was extended on the Bank street front, and two wings were added on the Main street front. These additions were completed in 1887. The character of the building is dressed granite, with wood and iron finish on the inside.

"The population of the city when this building was first occupied was 36,000; the estimated population now is 100,000. The Government never owned any building in this city before it built this one.

"HISTORICAL EVENTS.

"When the State of Virginia seceded from the Federal Union, in April, 1861, the State took charge of this building and used it for various purposes until the Confederate government was transferred to this city from Montgomery, Ala., in July, 1861, when they took charge of this building and installed here the treasury department of the Confederate States, from which were issued all the bonds and currency used by the Confederacy.

"Jefferson Davis, the president of the Confederacy, had an office on the third floor of this building, in which he and Gen. Robert E. Lee and other famous generals sometimes met for consultation.

"The secretary of state, Judah P. Benjamin, and the secretary of the treasury, together with the auditor and treasurer, occupied rooms in this building. Room No. 17 was used for cabinet meetings by the Confederate government.

"There was also stored in this building, up to April 2, 1865, the gold and silver of the Confederate States government, which on that date was transferred south. On the following day it was occupied by Federal troops, and afterwards placed under control of the Treasury Department.

"INDICTMENT OF DAVIS.

"In this building, on May 10, 1866, the grand jury of the United States circuit court indicted Jefferson Davis for treason. On May 13, 1867, he was brought into this building on a writ of habeas corpus, and was immediately released under bond given on that date by Horace Greeley, Franklin Stearns, Charles O'Connor, and others.

"Since that time nothing of unusual importance has transpired.

"Respectfully,

"JOHN S. BETHEL, Custodian.

"THE SUPERVISING ARCHITECT.

"Treasury Department, Washington, D. C."

Section 6: A new post-office, court-house, and custom-house building has been constructed in Kansas City, Mo., but the needs of the service require space, and as the Treasury Department advises the sale of the old building, it was thought wise to invest the proceeds thereof in completing the new building as originally designed. This can be done without expense for additional ground, as the site upon which said new building has been erected is amply large for that purpose, being bounded on the north and south each 252 feet by Eighth and Ninth streets, respectively, on the west 289 feet and 14 inches by Grand street, and on the east 289 feet by McGee street. The old building and site located on the corner of Ninth and Walnut streets, in Kansas City, including alterations and repairs, has cost the Government up to June 30, 1901, the sum of \$387,000.19, the site having been purchased July 5, 1879. The bill provides that said site and building shall be sold for not less than \$300,000.

Section 8: The purpose of this section is to give St. Louis a model post-office building. The post-office has outgrown the space allotted to it in the Government building and must be given relief. The fact that a great industrial exposition will be held in St. Louis, Mo., in 1904, alluring to the city millions of people and increasing the work of the post-office in a marked degree, only aggravates the situation.

The space now occupied by the post-office in the Government building can be occupied to a greater advantage by other Federal offices which are now housed in rented buildings.

Strange as it may seem, yet it is a fact, the best arranged post-office building in the United States—and, for that matter, in the world—is a temporary structure on the lake front in Chicago, and the experience of the postal authorities in that building convinces your committee that in all cities of the size of New York, Chicago, and St. Louis the post-office business should be confined in a separate building, divorced from all association with courts, customs, revenues, etc. An ideal post-office building should have plenty of ground space, good light, ventilation, and high ceilings. It should occupy an entire block or square of ground surrounded by streets and near a union depot. Such a building need not be an expensive one, yet expensive enough to be permanent. A steel frame with brick and terra cotta would serve the purpose admirably, and the economy of such a structure would encourage Congress to duplicate such a building in other large cities.

Section 9 authorizes the purchase of a site for a Federal building in New Orleans, La.

The present site was ceded to the United States June 29, 1848, by the first municipality of New Orleans, and building operations were commenced soon after. In 1860 the walls had been carried up 75 feet above the concrete base to the architrave line of the entablature and all the floor beams of the fourth story were in place. The discovery was then made that the building was slowly sinking, the maximum settlement in 1880 being 2 feet 6 inches, in spite of the fact that a commission in 1881 reported, from borings made, that the site was the firmest, driest, and most reliable in the city. Your committee has unofficial information that the total settlement of the building to date is about 4 feet. At this rate of speed through the earth the Chinese Government may some day occupy a building which housed Gen. B. F. Butler during the civil war. The post-office department should be removed and the space vacated given over to the customs service. The present building above the basement will be serviceable for many years, but a new building is needed for the post-office department and other offices in said city for which the Government is now paying rent.

Section 10: In 1854 the site in Providence, R. I., upon which the post-office building is now located, was purchased for \$40,000. The present building was completed in 1857. The total cost of site and building to June 30, 1901, is \$328,765.55. The city of Providence offers to donate to the Government as a site for a new building a tract of land in Exchange place, directly opposite a magnificent city hall, and within a stone's throw of a beautiful State capital building, the site to be donated being worth about \$500,000. The postal situation in Providence is bad, very bad, and patient indeed have been the people in that vicinity in waiting until now for relief. The present building and site can be sold when the new building is completed for almost as much as they have cost the Government to date.

Section 11: The present site in Wheeling, W. Va., was purchased September 7, 1855, for \$20,000, being 132 feet square in size. Building was completed in 1860. The cost of site and building, including additions and repairs, to June 30, 1901, is \$177,362.39, the original cost of the building being \$96,618.64. The United States district judge refuses to hold court in the building on account of its condition, and for the further reason that the building being close to the railroad tracks noise from the engines and cars makes the transaction of business impossible, and when there is a rise in the Ohio River the basement fills with water. The situation in Wheeling justifies the action taken by your committee. A new site will be purchased sufficiently large and satisfactorily located to permit the erection thereon of a building that will serve Wheeling for many years to come.

Section 12: In the Fifty-fifth Congress legislation was enacted authorizing an appropriation of \$58,000 to enlarge the present site and improve the present building at Macon, Ga. The appropriation followed, but the Treasury Department, owing to a rise in building material, was unable to execute the legislation provided by Congress within the limit of cost thereby fixed. The Treasury Department has submitted another estimate to the committee, and section 12 is responsive thereto.

Section 13: For several years the post-office building in New York City has been crowded, especially in the basement and on the first floor. Temporary relief has been given the Post-Office Department from time to time, but all efforts to relieve the congested condition in the present building have proven futile, and your committee are satisfied that the only permanent satisfactory remedy is a new building devoted exclusively to post-office business.

A building can not be erected until a site is selected, and as it will take from six months to two years to agree upon a suitable site, owing to the divergence of opinion as to location, your committee have decided to authorize the purchase of a site through a commission composed of the Secretary of the Treasury, the Postmaster-General, and the Attorney-General of the United States. The selection of this commission evades local jealousies and bickerings. To create a commission composed of citizens of New York or presidents of business organizations in said city would only involve the selection of a site, where land is valuable and the location of a site uncertain, in quarrels and complications which should be avoided. Until a site is selected the Government can not properly determine the character of building that should be erected. The committee are anxious to help New York and the country, and have provided for a full report by the commission as to style, size, and cost of building to be constructed. As soon as the site is selected a building will be authorized.

Section 14 authorizes the Secretary of the Treasury to either purchase a new site under certain conditions or add to the present site in the city of Toledo, Ohio. If the citizens of Toledo will aid the Government in buying a suitable site within the limit of cost fixed it is probable that Congress will provide for the authorization of a new building. Toledo is a large and growing city, and whatever action is taken the effect of it should be to provide ample accommodations for all the Federal offices that may reside in said city during the next fifty years.

Section 15 authorizes the purchase of a site in Des Moines, Iowa. The present site was acquired October 6, 1866, for \$15,000. The building was occupied in 1871. Two additions have been made to the building since 1871, the total cost of building and site to June 30, 1901, being \$590,038.21.

The post-office in Des Moines does more business than any post-office in the United States in proportion to the population of the city, the gross receipts now amounting to almost \$400,000 per annum, and to the credit of the postmaster there this office is one of the most economically managed offices in the United States, as only 28 per cent of the gross receipts are consumed in transacting its enormous business. The net receipts of the office for six months will buy the new site. A new building is a necessity in Des Moines now, and in two or three years it will be an imperative necessity. True economy suggests the purchase of a site now, and the building can follow as soon as the departments are fully decided as to size and character of building needed.

Section 16 authorizes the sale of the old Government building and site in Buffalo, N. Y. This site was purchased January 22, 1865, for \$45,000. The total cost of building and site to June 30, 1901, is \$553,973.72. The building has been enlarged and renovated several times, as the original cost of construction was \$150,839.09. The Treasury Department recommends the sale of the property, as the Government has no further use for it and will be under expense in protecting it. The conservative judgment of business men in Buffalo is to the effect that the site and building is not worth more than \$100,000. Your committee, after careful consideration of all information furnished bearing upon values, has decided to make the minimum limit of selling price \$125,000. The new Government building in Buffalo is occupied, the old building having been vacated some time ago.

Section 17 authorizes a new building in Los Angeles, Cal. In 1880 about 11,000 people resided in this city; in 1890 there was a population of 52,000; in 1890 over 102,000, and in 1902 about 120,000. The growth of this city is phenomenal, and with the discoveries of oil lately made in that vicinity, added to other conditions which tend to make large cities larger, it is economy for the Government in erecting a public building there to build for the future and along very liberal lines. On January 7, 1887, a site was purchased for \$28,635.13, and an addition thereto was purchased May 26, 1900, at a cost of \$20,053, total cost of site being \$48,688.13, with a frontage of 182 feet 9 inches on Main street. This property is now very valuable. Blunder after blunder has followed legislation affecting

the public building in Los Angeles. The first authorization was for \$150,000, and work was commenced in February, 1889.

In September, 1889, when the masonry had reached the second-floor level, the Treasury Department suspended work, anticipating that Congress would increase the limit of cost to \$500,000 and provide for an enlargement of the site. Congress having failed to act, work was resumed in 1891 and building occupied in summer of 1892. Under appropriations approved March 21, 1895, and June 11, 1896, aggregating \$17,000, alterations were made in the building, and a one-story extension, 25 by 60 in plan, was constructed at the south end. An act of March 3, 1899, provides for an extension of building and purchase of additional ground, and limits cost of same at \$250,000. This legislation was brought about through a Senate amendment to a bill providing an increase of limit of cost of public building at Stockton, Cal., and was passed by the House of Representatives over the protest of your committee.

Events which have transpired since then justify the action of your committee in opposing at that time the Senate amendment above referred to. To make matters worse, the Federal officials in Los Angeles have moved from the present building to rented quarters, the post-office building has been razed to the first story, and an attempt made to erect a new structure upon the old foundation and first floor. The Treasury Department, satisfied that no suitable building could be constructed within the present limit of cost, suspended work, and requests Congress to legislate with reference to the size and growing necessities of the city. The provisions of this section are so drawn as to encourage your committee in believing that at last justice will be done Los Angeles and the Government at the same time properly protected. Elsewhere in this act provisions have been inserted which will render it impossible to impose upon the Government, as has been done in Los Angeles since 1889.

Section 18 authorizes a new building in Burlington, Vt. The present site, bounded on the north 222 feet by Main street, on the west 316 feet by Church street, was purchased May 5, 1855, for \$7,520, and the total cost of building and site to June 30, 1901, is \$91,400.52, the original cost of building being \$44,714.91. The building is entirely unsuited for its purpose, the Federal court and Federal officials being obliged to occupy a State building. The post-office is so badly crowded that rented offices are necessary to relieve the situation. The net receipts of the business transacted in the Burlington post-office for a period of three years will pay for the new building, which is to be erected upon the present site.

Sections 19 and 20 regulate sizes of sites, rent of buildings, advertising, and inspection of sites.

Section 21 seeks to prevent delays in the construction of public buildings, and in justification of its action your committee submits a communication from the Secretary of the Treasury relating thereto.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 3, 1902.

SIR: Considerable difficulty has at times been experienced by this Department in its efforts to enforce, through the courts, stipulations for liquidated damages for delays in contracts for the erection or repairs of public buildings because of the lack of uniformity in the construction of such stipulations by the courts and the want of a Federal statute on the subject.

When contracts are awarded for the construction or repair of public buildings under the control of this Department it sometimes happens that, having a due regard for the convenience of the Government, the moving consideration for the acceptance of a particular bid is the time within which the bidder agrees to complete the work embraced in his bid, and where, under these circumstances, the Government buys time, so to speak, and lets work to a bidder based on the consideration of time being of the essence of the contract, it is unjust to the United States and unfair to competing bidders to say that recovery shall be had for no more than the actual damages sustained by the United States, and that the element of inconvenience to the public and the Government in being deprived of the use of the public building shall not be considered.

The attitude of the courts in favor of construing as penalties wherever possible all stipulations for liquidated damages is founded upon principles which in the main are humane and just, but it results in rendering possible, under certain circumstances, the most vexatious delays, with no other remedy on the part of the Department than the abrogation of the contract and the reletting of the same, a method in itself always attended with more or less delay.

If a Federal statute were enacted bearing on this subject it would put all men on notice that in all contracts for public-building work under the control of this Department persons legally competent to contract would be held strictly to their contract stipulations as to damages.

It seems to this Department that whenever Congress makes an appropriation for a public building or other public work that it should be presumed that a necessity exists therefor, and that being true it lies in the power of neither the Department, the contractors, nor the courts to determine with exactness the damages sustained by the public or the Government in being deprived of the use of such public building or other public work, and hence when parties to a contract agree in advance what those damages shall be such stipulations ought to be subjected to no different construction or interpretation than any of the other stipulations of the contract.

There is inclosed herewith a draft of suggestive legislation which this Department deems would prove effective, and I have the honor to recommend that the same, or some other provision having the like object in view, be incorporated in one of the general appropriation bills, preferably the sundry civil, under the heading "Public buildings."

Respectfully,

L. M. SHAW,
Secretary.

THE CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

Section 22 authorizes an investigation of certain Federal buildings for the relief of which bills are pending before your committee, but the conditions of which are not sufficiently known by your committee to warrant action by it at this session of Congress.

Section 23 repeals an act authorizing the Department of Justice building in Washington. In the Fifty-fifth Congress \$1,025,000 was appropriated, \$25,000 thereof to pay for the removal of the Department of Justice to rented quarters and for rent of same, the \$1,000,000 being for the erection and completion of a Department of Justice building upon the site opposite Lafayette Square in said city, owned by the Government of the United States, it being understood that no part of the \$1,000,000 was to be expended unless a suitable building could be erected and completed within the limit of cost fixed.

In the Fifty-sixth Congress the Attorney-General came to your committee for an increase of \$900,000, which was refused. As the site referred to is not large enough for a building such as should be erected for the purposes intended, your committee is of the opinion that the law should be repealed and the money heretofore appropriated, save and except the \$25,000 allotted for purposes above set forth, should be returned to the Treasury of the United States and a full report made to Congress.

In consideration whereof your committee respectfully recommends the passage of H. R. 14018.

Bills pending before the committee asking for authorizations amounting to \$60,975,936, by States, Territories, and District of Columbia.

Alabama	\$298,000	New York	\$7,072,300
Arkansas	225,000	North Carolina	550,000
California	3,085,000	North Dakota	200,000
Colorado	1,575,000	Ohio	2,905,000
Connecticut	800,000	Oregon	310,000
Florida	815,000	Pennsylvania	1,828,000
Georgia	1,430,000	Rhode Island	1,625,000
Illinois	1,645,000	South Carolina	550,000
Indiana	1,325,000	South Dakota	475,000
Iowa	1,885,000	Tennessee	890,000
Kansas	300,000	Texas	1,515,000
Kentucky	1,179,000	Utah	200,000
Louisiana	2,090,000	Vermont	350,000
Maine	575,000	Virginia	1,905,000
Maryland	150,000	Washington	2,400,000
Massachusetts	3,778,200	West Virginia	920,000
Michigan	1,815,000	Wisconsin	940,000
Minnesota	575,000	Wyoming	200,000
Mississippi	180,000	New Mexico	100,000
Missouri	1,147,500	Oklahoma	200,000
Montana	475,000	Alaska	50,000
Nebraska	1,070,000	Hawaii	1,200,000
Nevada	60,000	District of Columbia	12,811,986
New Hampshire	200,000		
New Jersey	1,155,000	Total	66,975,986

Statement showing apportionment by States, Territories, and District of Columbia of the authorizations carried in H. R. 14018.

Alabama	\$140,000	New Jersey	\$315,000
Arkansas	225,000	New York	1,552,250
California	1,050,000	North Carolina	125,000
Colorado	345,000	North Dakota	125,000
Connecticut	325,000	Ohio	991,000
Florida	75,000	Oregon	160,000
Georgia	295,000	Pennsylvania	758,000
Illinois	528,000	Rhode Island	1,000,000
Indiana	550,000	South Carolina	255,000
Iowa	615,500	South Dakota	280,000
Kansas	141,000	Tennessee	350,000
Kentucky	180,000	Texas	500,000
Louisiana	200,000	Utah	125,000
Maine	197,000	Vermont	185,000
Maryland	50,000	Virginia	318,000
Massachusetts	293,200	Washington	270,000
Michigan	342,500	West Virginia	475,000
Minnesota	318,000	Wisconsin	490,000
Mississippi	155,000	Wyoming	100,000
Missouri	678,000	Oklahoma	100,000
Montana	50,000	District of Columbia	1,575,000
Nebraska	525,000		
Nevada	60,000	Total	17,405,450
New Hampshire	80,000		

Statement showing in detail the apportionment of authorizations in H. R. 14018.

	Popula- tion, 1900.	Amount allowed.	Treasury estimate.
Alabama:			
Montgomery	30,000	\$85,000	\$85,000
Selma	8,713	75,000	108,000
Arkansas:			
Fort Smith	12,000	100,000	135,000
Harrison	1,551	75,000	84,000
Batesville	2,327	50,000	
California:			
San Francisco	342,782	700,000	1,500,000
Fresno	12,470	100,000	160,000
Los Angeles	102,479	250,000	700,000
Colorado:			
Denver	133,839	200,000	300,000
Colorado Springs	21,000	135,000	220,000
Leadville	12,455	10,000	10,000
Connecticut:			
Hartford	80,000	150,000	250,000
Waterbury	52,000	135,000	
Torrington	8,390	40,000	60,000
Florida:			
Tampa	15,839	40,000	40,000
Gainesville	3,633	35,000	125,000
Georgia:			
Atlanta	89,872	170,000	165,000
Athens	10,245	75,000	138,000
Brunswick	9,081	80,000	80,000
Rome	7,291	6,000	150,000
Macon	23,272	14,000	67,000
Illinois:			
Decatur	20,754	80,000	85,000
Evanston	19,259	90,000	90,000
Ottawa	10,588	50,000	87,000
Pekin	8,420	70,000	100,000
Jacksonville	15,073	60,000	100,000
Kankakee	13,586	70,000	67,000
Springfield	34,159	100,000	150,000
Sterling	6,309	5,000	75,000
Monmouth	7,460	1,000	1,000
Indiana:			
Muncie	20,942	75,000	120,000
Richmond	18,226	75,000	150,000
Vincennes	10,249	75,000	100,000
Elkhart	15,184	75,000	100,000
Hammond	12,376	125,000	175,000
Logansport	16,204	75,000	100,000
Crawfordsville	8,000	50,000	
Iowa:			
Marshalltown	11,544	85,000	90,000
Centerville	5,256	35,000	50,000
Boone	8,880	100,000	75,000
Iowa City	7,987	60,000	80,000
Waterloo	12,580	150,000	150,000
Ottumwa	18,197	6,500	6,500
Des Moines	62,139	125,000	650,000

Statement showing in detail the apportionment of authorizations, etc.—Cont'd.

	Popula- tion, 1900.	Amount allowed.	Treasury estimate.
Iowa—Continued.			
Oskaloosa	10,000	\$4,000	\$9,000
Burlington	23,201	20,000	20,000
Atlantic	5,046	30,000	-----
Kansas:			
Emporia	8,223	41,000	55,000
Lawrence	10,862	50,000	80,000
Hutchinson	9,379	50,000	67,000
Kentucky:			
Paducah	9,446	70,000	75,000
Richmond	4,605	20,000	20,000
Henderson	10,272	40,000	72,000
Maysville	8,000	30,000	70,000
Louisiana:			
New Orleans	237,104	200,000	250,000
Maine:			
Augusta	11,683	150,000	150,000
Bangor	21,850	35,000	35,000
Bar Harbor	4,379	6,000	70,000
Calais	7,655	6,000	-----
Maryland:			
Cumberland	17,128	50,000	50,000
Massachusetts:			
Quincy	23,889	12,000	80,000
Northampton	18,643	70,000	70,000
Holyoke	45,712	135,000	150,000
Amesbury	9,473	45,000	47,000
Lynn	68,513	1,200	1,200
Michigan:			
Battlecreek	18,563	80,000	110,000
Owosso	8,696	35,000	80,000
Muskegon	20,818	70,000	85,000
Adrian	9,654	40,000	55,000
Grand Haven	4,743	50,000	55,000
Flint	13,103	60,000	75,000
Menominee	12,818	1,500	1,500
Sault Ste. Marie	10,538	6,000	-----
Minnesota:			
Minneapolis	202,718	250,000	250,000
Stillwater	12,318	50,000	80,000
Albert Lea	4,500	3,000	75,000
Fergus Falls	6,072	15,000	25,000
Mississippi:			
Biloxi	5,067	100,000	170,000
Jackson	7,816	5,000	5,000
Natchez	12,210	50,000	70,000
Missouri:			
St. Louis	575,238	550,000	550,000
Louisiana	5,131	35,000	40,000
Nevada	7,641	40,000	87,000
Joplin	20,023	35,000	50,000
St. Joseph	102,000	18,000	-----
Montana:			
Butte	30,470	50,000	-----
Nebraska:			
Lincoln	40,169	300,000	350,000
Hastings	7,188	125,000	125,000
Norfolk	3,883	100,000	115,000
Nevada:			
Reno	4,530	60,000	85,000
New Hampshire:			
Nashua	23,898	80,000	90,000
New Jersey:			
Elizabeth	52,130	135,000	135,000
Atlantic City	27,838	115,000	180,000
New Brunswick	20,006	15,000	10,000
Perth Amboy	17,699	50,000	75,000
New York:			
Rochester	162,608	40,000	150,000
Binghamton	39,647	2,250	2,250
Ithaca	13,136	70,000	75,000
Gloversville	18,349	75,000	70,000
Niagara Falls	19,457	75,000	220,000
Little Falls	10,381	50,000	68,000
Kingston	24,535	80,000	100,000
Buffalo	352,387	35,000	35,000
Jamestown	22,892	35,000	35,000
New York City	3,437,202	1,000,000	1,550,000
Geneva	10,433	75,000	-----
Saratoga Springs	12,409	15,000	85,000
North Carolina:			
Durham	6,679	70,000	70,000
Goldsboro	5,877	35,000	80,000
Elizabeth City	6,344	20,000	25,000
Greensboro	10,035	-----	75,000
North Dakota:			
Grand Forks	7,652	125,000	180,000
Ohio:			
Findlay	17,613	55,000	90,000
Warren	8,529	45,000	50,000
Cleveland	381,768	500,000	700,000
Sandusky	19,664	20,000	20,000
Chillicothe	12,976	70,000	95,000
Zanesville	23,538	110,000	110,000
Toledo	131,822	125,000	500,000
Youngstown	44,885	14,000	-----
Hamilton	23,914	12,000	130,000
Ironton	11,868	40,000	55,000
Oregon:			
Portland	90,426	10,000	10,000
Portland	90,426	150,000	150,000
Pennsylvania:			
Washington	14,000	60,000	65,000
Westchester	9,524	50,000	-----
McKeesport	34,227	100,000	100,000
Oil City	13,264	60,000	85,000
Lebanon	17,628	75,000	90,000
Norristown	22,265	78,000	80,000
Johnstown	35,936	20,000	25,000
Newcastle	28,339	125,000	125,000

Statement showing in detail the apportionment of authorizations, etc.—Cont'd.

	Popula- tion, 1900.	Amount allowed.	Treasury estimate.
Pennsylvania—Continued.			
Allentown	35,416	\$100,000	\$150,000
Easton	25,238	60,000	90,000
Philadelphia Mint	-----	25,000	25,000
New Brighton	6,820	5,000	5,000
Rhode Island:			
Providence	175,597	1,000,000	1,000,000
South Carolina:			
Spartanburg	11,395	60,000	70,000
Florence	4,647	100,000	155,000
Rockhill	5,485	35,000	45,000
Georgetown	4,138	40,000	-----
South Dakota:			
Deadwood	3,478	200,000	216,000
Aberdeen	4,087	75,000	75,000
Pierre	2,306	5,000	200,000
Tennessee:			
Memphis	102,320	150,000	250,000
Greenville	1,817	100,000	145,000
Nashville	-----	100,000	290,000
Texas:			
Dallas	42,638	100,000	150,000
Waco	20,686	100,000	210,000
Laredo	13,429	125,000	160,000
Sherman	10,243	100,000	-----
Beaumont	9,427	75,000	175,000
Utah:			
Ogden	20,000	125,000	220,000
Vermont:			
Burlington	18,640	170,000	175,000
Newport	1,874	25,000	25,000
Virginia:			
Richmond	85,050	75,000	1,100,000
Charlottesville	6,449	75,000	75,000
Martinsville	2,384	35,000	40,000
Portsmouth	17,427	15,000	125,000
Alexandria	14,528	60,000	65,000
Newport News	19,635	50,000	50,000
Norfolk	46,624	8,000	10,000
Washington:			
Seattle	80,241	150,000	250,000
Tacoma	37,714	60,000	600,000
Spokane	36,848	60,000	500,000
West Virginia:			
Wheeling	38,878	400,000	400,000
Huntington	11,923	75,000	175,000
Wisconsin:			
Superior	31,091	175,000	225,000
Green Bay	18,648	140,000	150,000
Fond du Lac	15,110	60,000	65,000
Eau Claire	17,517	30,000	65,000
Baraboo	5,751	35,000	65,000
Wausau	12,354	50,000	61,000
Wyoming:			
Evanston	2,110	100,000	200,000
Oklahoma:			
Guthrie	10,506	100,000	260,000
District of Columbia:			
Municipal Building	-----	1,500,000	-----
National Bureau of Standards	-----	75,000	-----

* Kansas City, sale of old building.

b Buffalo, sale of old building.

c Also sale of old building.

d Wheeling, also sale of old building.

SUMMARY.

Limit of cost of 58 public buildings increased:	
Treasury estimate	\$10,792,960
Increase authorized by this act	5,111,450
Authorization under estimate	5,681,500
Purchase of sites and erection of buildings thereon authorized in 77 cities:	
Treasury estimate	10,782,000
Authorization by this act	8,548,000
Authorization under estimate	2,234,000
New buildings authorized upon sites owned by the Government in 6 cities:	
Treasury estimate	2,230,000
Authorization by this act	1,236,000
Authorization under estimate	994,000
New buildings authorized upon donated sites in 17 cities:	
Treasury estimate	2,305,000
Authorization by this act	1,345,000
Authorization under estimate	470,000
Purchase of sites in 16 cities:	
Treasury estimate for sites and buildings	4,690,000
Authorization by this act	675,000
Authorization under estimate	4,015,000
Total Treasury estimate	30,799,960
Total authorization	17,405,450
Authorization under estimate	13,394,500
Total authorization	17,405,450
Less amount covered into Treasury by repealing Department of Justice act	\$1,000,000
Less amount of proceeds of sale of buildings	585,000
	1,585,000
Net authorization by H. R. 14018	15,820,450

Mr. BANKHEAD. I yield five minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, this bill contains an appropriation for improving the public building in Macon, Ga., the city of my residence, in addition to that already provided by law. In the Fifty-fifth Congress—in 1899—I secured an appropriation of \$58,000 to extend, improve, and enlarge that building so as to provide the necessary accommodations for Government business. Upon investigation by the Treasury Department it was ascertained that that sum was wholly inadequate to carry out the purpose intended, and therefore no part of that sum has been expended.

It was admitted by the Treasury Department and by the Committees on Public Buildings and Grounds of this House and the Senate in 1899 that the present building, which was erected in 1888, was absolutely inadequate and insufficient. But after that appropriation was secured the Secretary of the Treasury, at my solicitation, has not used a cent of it, but has recommended additional appropriation.

At the present session of Congress I introduced bills for the purpose of increasing the appropriation to \$300,000 and one to erect a new building if, in the judgment of the Secretary of the Treasury, that was necessary. The Secretary of the Treasury has written three letters on the subject, which I will read—two to the Committees on Public Buildings and Grounds of the Senate and the House and one to Senator BACON. In the one dated February 26, 1902, and which has been read by the chairman [Mr. MERCER], he states that an additional appropriation of \$65,000 would be sufficient—at least, that was what was intended. For reasons which are unnecessary to be stated now, the Committee on Public Buildings and Grounds, while I am satisfied, desiring to do that which was just and proper to the people of Macon, to give to the city of Macon the additional sum necessary to make that building sufficient to answer the demands of the Government, misunderstood the recommendations of the Treasury Department and included in this bill only \$72,000, being only \$14,000 more than the \$58,000 which was appropriated in 1899.

Finding that the Committee on Public Buildings and Grounds had made this mistake in the bill now before the House as to his meaning, the Secretary of the Treasury of the United States has written the letter of the 25th instant to that committee stating that after careful investigation he believes that in addition to the sum heretofore appropriated, \$67,000 is absolutely necessary to provide the building at Macon with sufficient room and accommodations to carry on the business of the Government. This letter is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 25, 1902.

SIR: Under date of February 28, 1902, this Department had the honor, in compliance with your request, to submit for your consideration a report and estimate in connection with H. R. 10590, providing for the acquisition of additional land and the construction of an addition to the public building at Macon, Ga., and H. R. 11094, providing for the erection of a new public building on the present site or upon a new site.

An item of \$58,000 was provided by the act of Congress approved March 2, 1899, for the extension and enlargement of the present Federal building at Macon, Ga., and for the purchase of additional land for the site thereof, and in submitting the report above referred to this Department's estimates were based upon such an enlargement of the building as was contemplated at the time said appropriation was made, and included only sufficient money to cover the increased cost of building materials.

The Department has more carefully considered the matter of the proposed enlargement of said building, and in view of the rapid growth of the city and the increase in the volume of the Federal business which is transacted in said building, it is found that \$125,000 will be required for additional land and for the erection of a suitable extension, including the necessary changes in the present building; which will necessitate an appropriation, in addition to the \$58,000 heretofore provided, of \$67,000.

Respectfully,

L. M. SHAW,
Secretary.

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

I present now a letter from the Assistant Secretary of the Treasury to the senior Senator from Georgia, which is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 26, 1902.

SIR: In reply to your communication of this date in regard to measures pending in Congress providing for the erection of an addition to the public building in that city and for the erection of an entirely new building I have the honor to advise you that it is the opinion of this Department that the best interests of the public service would be subserved by providing for the acquisition of additional land adjoining the present site, and for the erection on said site, as enlarged by said additional land, of a new building, in order that adequate accommodations may be provided for the present and probable future requirements of the public service.

The Committees on Public Buildings and Grounds of the Senate and House have been advised that a suitable building to provide for the needs of the service at Macon can be erected for \$275,000, and that the necessary additional land can be secured for \$25,000, making the total estimated cost of new building and additional land \$300,000, and the Department is still of the opinion that this amount will be sufficient.

In this connection you are advised that building methods have greatly improved since the present building at Macon was constructed, and it is now feasible to construct a new building for the sum of \$300,000, including cost of necessary additional land, which would be much better adapted in every way to the needs of the public service at Macon.

You are further advised that on yesterday the Department reported to the Committee on Public Buildings and Grounds of the House that the sum of \$125,000 would be required to remodel and enlarge the present building and to acquire the additional land necessary for the purpose, said report having been sent to the committee upon the suggestion of Hon. C. L. BARTLETT, who represents the Macon district in Congress, and who was of opinion that it would be impossible to secure a new building.

Respectfully,

M. E. AILES,
Assistant Secretary.

Hon. A. O. BACON, United States Senate.

So that it will be observed that in the opinion of the officials of the Government the city of Macon is entitled to have appropriated for enlarging the public building there at least \$125,000, and that the best business proposition for the interest of the Government would be to build a new building to cost \$300,000. I am assured that the Committee on Public Buildings and Grounds misunderstood the recommendation of the Secretary of the Treasury contained in his first letter, and when the letter of the 25th was received and read that committee instructed the chairman to amend the bill by striking out \$72,000 and inserting \$125,000, and the chairman, the gentleman from Nebraska [Mr. MERCER] has assured me that he will do so before this bill becomes a law; that he will ask unanimous consent of the House to permit this amendment to-day, or that he will see to it that the committee of the Senate so amends the bill, and the Committee on Public Buildings and Grounds of the House has by resolution directed its chairman to so amend this bill. So I am satisfied that by the efforts I have made in the interest of the people of my city I shall eventually secure for the improvement of the public building there at least the sum of \$125,000, and, while this amount is not sufficient to build a new and more expensive building, it will be such as, in the opinion of the officials of the Treasury Department, will for some time to come answer the purposes of the Government at that city.

While, by reason of the rule under which this bill is now being considered, I can submit no proposition to amend it in any respect, I hope, yes, I know, that an opportunity will yet be given—if not in the House, certainly in the Senate—to so amend the bill as to carry out the suggestion of the Secretary of the Treasury and meet in a measure the wishes contained in the petition which I hold in my hand from the citizens of Macon, which contains 2,240 signatures.

Mr. Chairman, I do not desire to detain the committee, and will ask leave to extend my remarks in the RECORD and to include certain statements.

There was no objection.

The petition referred to, and a copy of which follows, is signed by all the public officials, both of the United States and the State of Georgia, county and municipal officers, business men, and men of all professions and callings. It was filed by me in the House and presented to the Committee on Public Buildings and Grounds, and is as follows:

To the Senate and House of Representatives
of the United States in Congress assembled:

The petitioners, citizens of Macon, Ga., and of the territory in the jurisdiction of the United States court for the southern district of Georgia, respectfully petition your honorable body to make provision for the erection in said city of a public building commensurate with the dignity of the Government of the United States and convenient for the transaction of its public business.

POST-OFFICE.

Petitioners respectfully represent that the small and insufficient public building in said city was erected in 1888. It was from the first inadequate for the sole purpose for which it was designed, namely, the sessions of the United States courts, and for the local post-office. From the first the post-office authorities have been gravely embarrassed by the narrow and restricted space assigned to it. This was injurious to the service, and jeopardized the security of the mails. The post-office has more than doubled its business since 1888, and is now, in the volume of mail handled, the third in importance in the State of Georgia. In 1888 it had 5 carriers. It now has 22. At that time the free-delivery system covered a small area of the city. It now extends over the greater portion of the county of Bibb, with daily distribution to nearly 60,000 people.

In addition to the carrier force the office contains 13 clerks besides the postmaster and his assistant, and is the headquarters for 35 railway postal clerks and 1 inspector. Said office receives and dispatches 72 mails per day in a space which, circumscribed and inconvenient in 1888, is now totally insufficient for the purpose to which it is devoted. Should the ratio of increase in business which has been maintained during the last five years continue, the efficiency of the office, unless relief should soon be had, will be seriously affected.

UNITED STATES COURT.

The space set apart for the United States circuit and district courts and the juries, grand juries, and officers thereof is painfully inadequate. There is but one court room. The referee in bankruptcy is compelled to rent quarters from private parties. The United States commissioner is compelled to hold his hearings in the clerk's office, to the grave interference with the duties of the clerks. There is but one room set apart for the circuit and district judges. This is so small that when a fire is kindled in the fireplace the judge is compelled to screen the furniture to prevent injury thereto and danger of the destruction of the building.

There is but one jury room, and that very small and uncomfortable. When two juries are deliberating, as is frequently the case, one must be sent to the grand jury room in the garret, and if the grand jury is in session and one jury is out, the court is practically compelled to suspend the trial of jury cases. When the circuit judge has visited the district, he and the district judge are compelled to occupy the same small room, about 15 by 16 feet. There is no witness room, and when witnesses are sequestered they are

compelled to remain for hours in the hall, with great discomfort and danger to health.

In the many important trials held at Macon, when a large number of witnesses are congregated, it is on this account impossible to preserve decorum in the avenues leading to the court room. The business of the courts has largely increased. The official residence of the United States judge for the southern district of Georgia is Macon, and many cases of the largest consequence are here tried, with great inconvenience to the public and to counsel from a distance and from other States on account of the meager accommodations provided for the court.

This district embraces the large cities of Macon, Savannah, and Augusta, and many other important cities and towns, and the entire seacoast of Georgia. It comprises 68 counties and contains a population greater than that of the entire State of Florida. Its charming climate has induced the settlement of large numbers of people of high character from Northern States, notably at Jekyl Island and Thomasville. It possesses enormous interests in pine lands and the largest naval-stores interest in the world. Notwithstanding its immense resources, and that the exigencies of the public service may often so require, it would be impossible to hold in this building sessions of the circuit and district courts at the same time.

THE CLERK'S OFFICE.

While the provisions for the judges and the court are inadequate, a much more alarming matter is the insecure provision made for the court records. These are of the first importance, and millions of values depend upon their security. There are two rooms, one very small, provided for the clerks. These are already crowded with the files and records. These are rapidly accumulating, and no more space can now be utilized for this purpose.

There are two small vaults on the second floor of the building for the greater security for the records. These vaults are now crowded to their utmost capacity, and besides are in no sense fireproof. They are constructed of brick, and are supported by cast-iron pillars, which would immediately collapse if any considerable fire should break out in the lower story. The condition of these records, in which the public and the Government have so much interest, is therefore precarious in the extreme. To illustrate the importance of these facts, in one case alone there are deposited in the clerk's office original deeds of 200 different parties as evidence in litigation involving 300,000 acres of land claimed by a citizen of New York.

In view of the peculiar features of this case, if those deeds should be destroyed by fire it would be practically impossible to determine the rights in issue. There is no designated room for attorneys who desire to examine records, no consultation room for counsel, and no place where a lawyer can consult with his client except in the open hall. It is also true that while the judges are in consultation with counsel at chambers that all other attorneys or persons who desire a conference are compelled to wait in the open hall.

THE MARSHAL'S OFFICE.

The accommodations for the marshal's office are even more insufficient than those for the clerical force. To use the vigorous language of the marshal, "the entire space set apart in the present building for the marshal and his deputies can hardly be called a room. From its size and shape it could more properly be denominated an auger hole in one corner of the building." It is, in fact, a very small, circular room, and if one-half of the books of the marshal were opened it would cover the entire space set apart to him. This is the disbursing officer for the court, who pays out many thousands of dollars per annum.

The accuracy of his accounts is of the highest importance and he is compelled to carry his books into the court and the single jury rooms so that his accounts may be spared the interruption caused by the multitude of jurors, parties, and witnesses who seek his office for information. Indeed, the bar tables in the court room are much worn because the marshal has found it necessary, during the recess of the courts, to use them for the purposes of his bookkeeping, and his officers are continually carrying backward and forward from one room to another the heavy books and dockets necessary for the record of his business. This officer should have at least three large rooms, while now he is crowded into a turret as vile in architectural appearance as it is useless and inconvenient for the public service.

THE DISTRICT ATTORNEY'S OFFICE.

In the one small room of the United States attorney there are habitually crowded four occupants—Mr. Erwin, the district attorney; Mr. Akerman, his assistant; Mr. R. E. Storrs, his clerk, and Mr. J. N. Talley, the official court stenographer. The requirements of the department compel him to have three filing cases in his office. His library is in three bookcases. There are two desks, two typewriter stands, a washstand, a stand for a water cooler and another for the letterpress, and with the necessary chairs the room is crowded beyond endurance. Here, too, assemble persons making inquiries, Government witnesses, defendants' counsel, internal-revenue officers, all witnesses seeking discharge on their subpoenas, and many others who have business with the district attorney.

It is therefore wholly impossible for the legal representatives of the Government to do any careful work in this office, and, in fact, the district attorney himself has been compelled, at his own expense, to rent offices in another building in order to secure the necessary privacy. The business of this office has largely increased. The district attorney formerly had no assistant. He now has two. The center of population in Georgia, as indicated by the late census, is fast moving southward, and the business of the office will, in all probability, increase rapidly for many years to come. There should be a room for the district attorney, a room for his assistant, another for his clerk, and a room for the official stenographer.

OTHER DEPARTMENTS.

There are, moreover, several departments of the public service which are represented in the Macon public building which were not here when it was designed. Here is the headquarters for a pension examiner. He has no room whatever. Here is now the headquarters for a division for internal-revenue collections, and the revenue agent with two deputy collectors, with the records, are crowded into a small circular space in the turret above the office of the marshal. There, too, is the stamp collector, the weather observer, and his assistant.

The rooms of these last two valuable officials of the Department of Agriculture are in what was once the cupola of the building, erected, presumably, for the purpose of ornamental architecture and as a cogn of vantage from which to float the Stars and Stripes. It is, however, true that the necessities of the Weather Bureau have rendered the amputation of the cupola necessary. The lofty minaret thereon has been removed, the altitude reduced by many feet, and on the flat roof of the abbreviated tower, from which once floated the ensign of our country, there may now be seen from all parts of the city a doubtless useful and necessary wooden structure, bearing a strong resemblance to a chicken coop, and the flag, when exposed at all, must be ignominiously thrust at half-mast out of a window. The building is indeed an architectural monstrosity, and is as discreditable to the Government as it is injurious and inconvenient to the people of Macon and the southern district of Georgia.

COMPARATIVE ADVANTAGES ELSEWHERE.

Atlanta, already possessing a building three times the size of this, through the activity and public spirit of its distinguished Representative and of our distinguished Senators in Congress, has had \$500,000 appropriated for a new structure. Augusta, with judicial business trivial in amount to that compared with the business at Macon, has witnessed the erection and has long enjoyed the use of a beautiful and spacious public building about twice as large as that here. In Savannah, where the Government already possesses a massive structure noted for its architectural beauty, more than \$400,000 has been expended in the erection of a spacious and exquisite creation of the highest architectural skill for the Government service.

This beautiful building, ample for the public necessities for perhaps a century to come, constructed of marble from our Georgia mines, its walls of Parian white, and its entablatures glowing with the richer and variegated hues selected from those marvelous deposits, is at once an exemplification of our resources, an ornament to our beautiful seaport, a witness to the skill of our national architects, and an example of the generosity of our Government, while here in our own beautiful Macon, a population much larger than that tributary to Savannah, is compelled to suffer from the abortion herein described, which seems to have been carefully designed for the inconvenience and discomfort of its occupants and as a specimen of architecture as irremediable as hideous.

INSUFFICIENCY OF BUILDING RECOGNIZED BY CONGRESS.

The insufficiency of this building at Macon has been distinctly recognized by your honorable body by the appropriation of the sum of \$58,000 for its alteration and improvement. With a clear conception of the impossibility of improving the present structure, the people of this community, its governing bodies, its chamber of commerce, the bar association, and the public generally protested against the use of the public money for this impossible and useless purpose, thus presenting, perhaps, the only case on record where a community, with the general welfare at heart, has declined to receive a substantial appropriation which the law had provided should be expended among its people.

This fact in itself, we respectfully submit, should strengthen the present appeal to your honorable body for a judicious and sufficient expenditure from the public funds to relieve us of the inconvenience and embarrassment and dangers to the public safety hereinbefore set forth. In view of these facts, we respectfully pray such measure at your hands as will cause to be set aside out of the public funds the sum of \$500,000 for the purchase of a suitable lot and for the erection of a public building in the city of Macon, Ga., at a spot convenient to the public, that such building be constructed according to the best plans of modern architecture, and, if possible, build of granite or marble taken from the quarries of our own State, and to be designed for the use of the United States courts and post-office in this city, and such other offices of the Government as may be deemed appropriate by the proper authorities. And your petitioners, as in duty bound, will ever pray, etc.

Mr. BARTLETT. The original is signed by 2,340 petitioners, whose names are omitted here.

The Macon post-office is the third in the matter of receipts in the State of Georgia. The present building was erected in 1888. The following are the postal receipts:

1888	\$35,709.42
1900	69,060.93
1901	74,532.03

The following letter from the postmaster gives the condition of the room and space used for the post-office and the needs for additional space:

MACON POST-OFFICE, OFFICE OF THE POSTMASTER,
Macon, Ga., February 26, 1902.

SIR: I have the honor to report that a special committee from the chamber of commerce, assisting in a movement to provide for this city a larger public building, have requested me to prepare a statement showing the conditions which surround the Macon post-office. Complying with the request, I herewith transmit the following, and ask that a copy of the same be furnished to said committee on application.

The post-office has more than doubled its business since 1888, and is now, in the volume of mail handled, the third in importance in the State of Georgia. In 1888 it had 5 carriers. It now has 22. At that time the free-delivery system covered a small area of the city. It now extends over the greater portion of the county of Bibb, with daily distributions to nearly 60,000 people. In addition to the carrier force the office contains 13 clerks, besides the postmaster and his assistants, and is the headquarters for 33 railway postal clerks and one inspector. Said office receives and dispatches 72 mails per day in a space, which, circumscribed as inconvenient in 1888, is now totally insufficient for the purpose to which it is devoted. Should the ratio of increase of business which has been maintained during the past five years continue, the efficiency of the office, unless relief should soon be had, will be seriously affected.

To enter into details, it may be added that the money-order department of this office is located in a semicircular tower room on the first floor, about 20 by 15 feet in dimensions, which necessarily contains eight pieces of furniture besides chairs and shelving. There is no vault connected with this room, and the records are exposed to the dangers of fire and water. The funds of the Department as well as the money-order blanks are kept in a small safe. This department issued during the last fiscal year about 17,000 money orders and paid about 54,000, besides handling the deposit of many Georgia offices. The total amount of money handled approximated \$1,300,000. An assistant has been granted the money-order clerk, but there is no space in the room for his desk.

The registry department is a larger room and about as badly crowded. It is the headquarters for the registry clerk, his assistant, and a post-office inspector. The vault attached to this room is at times too small to hold registers and office supplies. There is insufficient desk and case space, and during the busy season the floor of the room is used for the division and temporary storage of valuable packages. Overcrowding in the closets in the judiciary department, immediately above this room, have from time to time flooded it, endangering the safety of valuables in course of transmission and the health of the clerks employed.

The working room of the post-office is crowded to its limits by the necessary desks and cases of 22 carriers, 13 clerks, and 2 special-delivery boys. The space for opening incoming mails has been reduced by crowding to 12 by 12, and within the last ten days there has been at times as many as 18 sacks of mail piled in it. Within this space four or five men must work. The four rural-route carriers work at little desks that are not sufficient at times to pile their mail on. In this working room are piled at this writing \$1,400 worth of stamped envelopes and postals. The office stock of envelopes and

postals are so deposited for the reason that the second vault will not hold it. Special-request stamped envelopes for business firms are held until delivery in the postmaster's office for the same reason.

A portion of the working room is cut off by wire screens for scale room, second-class matter to be dispatched, passageway to the registry for the use of railway clerks, 35 in number, and for the general-delivery department.

The postmaster's room is about 18 by 18; is occupied by the postmaster and his assistant and eight pieces of furniture. Here a large amount of business is transacted with the public direct, 65 employees are paid off, all complaints handled, office records kept, and a large correspondence conducted. The assistant postmaster should have a separate and larger room, with four times the vault space. Circumstances growing out of the postmaster's position, his office as custodian, his relation to the public, and his conferences with inspectors make it advisable for him to have the benefit of a private or consulting room.

To sum up the situation, the business of the Macon office has largely outgrown its accommodations, and is necessarily handled yearly with increasing inconvenience and insecurity.

Respectfully,

H. S. EDWARDS,
Postmaster.

Hon. H. C. PAYNE,
Postmaster-General, Washington, D. C.

From this it will be seen how immensely the business of the post-office has increased, and how insufficient the post-office room is for the business of the Government. The net proceeds to the Government from this office was nearly \$45,000 for the year ending March 31, 1901.

The two other cities of the southern district of Georgia where court is held are Augusta and Savannah. From the following statement of the clerk of the United States court it will be seen that the business transacted at Macon is more than at either of the other two cities, and in some instances equal to the combined business of both. At Augusta and Savannah the Government has erected handsome and commodious public buildings, costing in the one \$200,000 and in the other \$500,000. It is but just and fair that the Government should provide quarters for the court and other public officials in some measure commensurate with the needs of the Government and the business transacted there.

Statement of the clerk of the United States circuit and district courts of the cases filed in those courts at Savannah, Augusta, and Macon since the last report to the Department of Justice, covering a period of six months.

Civil causes filed at Macon.....	62
Civil causes filed at both Savannah and Augusta during the same period.....	50
Criminal cases in the western division at Macon.....	76
Criminal cases at Savannah and Augusta, same period.....	37
Bankruptcy cases in western division, filed at Macon.....	215
Bankruptcy cases filed at both Savannah and Augusta, same period.....	348

It will be noted that the western division of the southern district of Georgia comprises 28 counties, and the eastern and northeastern divisions together comprise 48 counties.

The following table, compiled from the report of the last census, illustrates the marked growth of the population of the western division of the southern district of Georgia, for which the United States court is held in the Government building at Macon:

Population, by counties, of the western division of the southern district of Georgia.

County.	Population.		Increase.
	1890.	1900.	
Baker.....	6,144	6,704	560
Baldwin.....	14,608	17,768	3,160
Bibb.....	42,370	50,473	8,103
Butts.....	10,565	12,805	2,240
Calhoun.....	8,438	9,274	836
Crawford.....	9,315	10,368	1,053
Dodge.....	11,432	13,975	2,543
Dooly.....	18,146	20,567	2,421
Dougherty.....	12,206	13,679	1,473
Hancock.....	17,149	18,277	1,128
Houston.....	21,613	22,641	1,028
Jasper.....	13,879	15,033	1,154
Jones.....	12,709	13,358	649
Laurens.....	13,747	25,908	12,161
Lee.....	9,074	10,344	1,270
Macon.....	13,183	14,083	900
Mitchell.....	10,906	14,767	3,861
Monroe.....	19,137	20,682	1,545
Pike.....	16,320	18,761	2,441
Putnam.....	14,842	13,438	-1,404
Pulaski.....	16,559	18,489	1,930
Sumter.....	22,107	26,212	4,105
Telfair.....	5,477	10,083	4,606
Twiggs.....	8,195	8,716	521
Upson.....	12,186	13,670	1,482
Webster.....	5,695	6,618	923
Wilcox.....	7,980	11,067	3,117
Wilkinson.....	10,781	11,440	659
Total.....	384,765	455,238	70,473

*Decrease.

The increase in the population of Bibb County, in which the city of Macon is situated, as well as of the city of Macon, is shown by the following table, which is also compiled from the census returns of 1900:

Population of Bibb County, by militia districts.

District.	1890.	1900.
No. 481, Godfrey.....	4,290	6,489
No. 482, Warrior.....	1,675	2,025
No. 483, Howard.....	1,791	2,063
No. 514, East Macon.....	3,777	5,078
No. 519, Hazzard.....	1,194	1,370
No. 520, Rutland.....	2,440	2,359
No. 1985, Vineville.....	4,547	7,787
Total.....	19,624	27,201
Macon city:		
Ward 1.....		4,061
Ward 2.....		6,199
Ward 3.....		5,724
Ward 4.....		7,288
Total.....	22,746	23,272
Population of county.....	42,370	*50,473

*Gain, 8,103.

To ascertain the population within the delivery limits of the Macon post-office there should be added to the population of the city of Macon the population of the following districts lying outside the corporate limits of the city:

Districts.	1890.	1900.
East Macon.....	3,777	5,078
Godfrey.....	4,290	6,489
Vineville.....	4,547	7,787
Macon.....	22,746	23,272
Total.....	35,360	*42,626

*Gain 7,296.

Macon is a beautiful city, situated very near, if not in the exact geographical center of the State of Georgia; has well-paved streets, lighted by electricity, several handsome public buildings and private residences, attractive parks, a first-class system of waterworks, with a daily capacity of 10,000,000 gallons of pure filtered water; two distinct systems of electric railways, with tracks permeating every section of the city and suburbs.

The population of Macon, as shown by the census of 1900 and as set forth in the table just referred to, is 23,272, but there is a population of 42,626 within the delivery limits of the post-office, the city having a number of populous suburbs which are not within its corporate limits. In 1890 there was a population of 35,360 within the delivery limits of the post-office, showing a gain within the past ten years of 7,296.

Several of the most important educational institutions of the State of Georgia are located at Macon. In Bibb County there are 31 public schools for whites and 18 for colored children, with an average attendance of 3,296 white pupils and 2,200 colored.

Mercer University, for boys, and Wesleyan Female College, the oldest college for ladies in the United States, and probably the oldest in the world, are among the leading educational institutions of the State and of the South.

St. Stanislaus is a Roman Catholic college for the training of priests, and the Mount de Sales Academy is a school for girls under the auspices of the Roman Catholic Church.

There is also a normal school for ladies and a normal school for colored pupils.

The Georgia Academy for the Blind, with two departments, one for white and one for colored pupils, is also located in Macon.

There are three orphanages in the city of Macon—the Appleton Home, under the auspices of the Episcopal Church; the Orphans' Home of the South Georgia Conference of the Methodist Episcopal Church South, and the Mumford Industrial Home.

Other charitable institutions are the city hospital, the Julia Parkman Jones Home for indigent ladies, under the auspices of the Episcopal Church; the Roff Home, with hospitals attached, for the poor of Bibb County; the Home for the Friendless, and Door of Hope, etc.

Macon is the terminal point of five important lines of railroads, as follows: The Georgia Southern and Florida, from Macon to Palatka, Fla., the general offices and shops of which are located at Macon; the Southwestern, connecting the city with all the important points of south and southwest Georgia; the Macon, Dublin and Savannah, extending from Macon to Savannah, with shops and general offices located at Macon; the Macon and Birmingham, extending from Macon to Lagrange, Ga., with connecting lines from that place to Birmingham, Ala., Montgomery, Ala., and New Orleans, the shops and general offices of which are located at Macon; the Macon and Northern, from Macon to Athens, Ga., with division offices and general shops located at Macon.

Macon is also on the line of the Southern Railway from Atlanta to Brunswick, Ga., with division offices and shops located at Macon, and on the line of the Central of Georgia Railway, from Atlanta to Savannah, Ga., and owning and operating the Ocean Steamship Company, with a line of steamers from Savannah to New York. Macon is the headquarters of two divisions of the Central of Georgia Railway and of the general shops of the company.

The aggregate value of property in Bibb County is \$16,427,686, of which \$14,768,000 represents the value of property in the city of Macon.

There are located in the city of Macon 5 cotton mills, 3 iron foundries, 3 cotton compresses, 3 cornice-making establishments, 3 cotton-gin manufactories, 6 cotton-press manufactories, 2 large cotton-oil companies, 1 large fertilizer factory, 1 large candy and cracker factory, 1 large ice plant, 1 barrel factory, 1 harness-making establishment, 1 pants factory, 3 large lumber mills (including sash, door, and blind factories) and 4 flour and grist mills.

Macon has 8 banking establishments, with an aggregate capital, surplus, and undivided profits of \$2,063,500.

There are 182 manufacturing establishments, representing a total investment of \$5,076,005, giving employment to 263 salaried officials and clerks and 3,700 wage-earners, the amount paid in salaries being \$272,138 and in wages \$1,047,437. The value of the annual output of these manufacturing establishments is \$6,495,767.

I would call especial attention to the notable growth in the population of the following counties in the western division of the southern district of Georgia:

LAURENS.	
1900.....	25,908
1890.....	13,747
Gain.....	12,161
Or 88.4 per cent.	
TELFAIR.	
1900.....	10,083
1890.....	5,477
Gain.....	4,606
Or 84 per cent.	
DOOLY.	
1900.....	26,567
1890.....	18,146
Gain.....	8,421
Or 46.4 per cent.	

Mr. Chairman, these are the claims of the people I have the honor to represent for fair, just, and liberal consideration at the hands of Congress in the matter of making provision for a suitable building in which to transact the business of the Government, and I feel assured that in the near future their demands will be adequately complied with.

Mr. MERCER. Mr. Chairman, in response to the remarks of the gentleman from Georgia [Mr. BARTLETT] I desire to submit two letters from the Treasury Department, which I ask may be now read by unanimous consent.

The CHAIRMAN. The gentleman from Nebraska [Mr. MERCER] asks unanimous consent that certain documents which he sends to the Clerk's desk may be read. Is there objection?

There was no objection.

The documents are as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 28, 1902.

SIR: Referring further to the request dated the 12th instant, from your committee, for a report in connection with H. R. 10590, providing for the acquisition of additional land and the construction of an addition to the public building at Macon, Ga., and H. R. 11094, providing for the erection of a new public building on the present site, or upon a new site, I have the honor to advise you as follows:

An addition which it is thought will meet the requirements of the service at Macon can be constructed for \$65,000. The previous estimate of the cost of contemplated extension was made in 1898, being \$58,000; which amount was appropriated under date of March 3, 1899. Owing, however, to the rise in cost of building materials, it is estimated that the contemplated extension will cost \$65,000, as indicated above.

In connection with H. R. 11094, providing for the erection of a new building, it is estimated that a building of four stories and basement, with a ground area of 8,000 square feet, will meet the requirements of the service at Macon. A building of the dimensions indicated, of fireproof construction, including heating apparatus, fireproof vaults, and approaches, can be constructed for \$275,000, exclusive of additional land. In order to erect a new building on the present site it will be necessary to secure additional land, which it is estimated can be secured for \$25,000. You are further advised that it is estimated that an entirely new site can be secured for \$25,000.

Respectfully,

H. A. TAYLOR, Assistant Secretary.

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 25, 1902.

SIR: Under date of February 28, 1902, this Department had the honor, in compliance with your request, to submit for your consideration a report

and estimate in connection with H. R. 10590, providing for the acquisition of additional land and the construction of an addition to the public building at Macon, Ga., and H. R. 11094, providing for the erection of a new public building on the present site or upon a new site.

An item of \$58,000 was provided by the act of Congress approved March 2, 1899, for the extension and enlargement of the present Federal building at Macon, Ga., and for the purchase of additional land for the site thereof, and in submitting the report above referred to this Department's estimates were based upon such an enlargement of the building as was contemplated at the time said appropriation was made, and included only sufficient money to cover the increased cost of building materials.

The Department has more carefully considered the matter of the proposed enlargement of said building, and in view of the rapid growth of the city and the increase in the volume of the Federal business which is transacted in said building, it is found that \$125,000 will be required for additional land and for the erection of a suitable extension, including the necessary changes in the present building, which will necessitate an appropriation, in addition to the \$58,000 heretofore provided, of \$67,000.

Respectfully,

L. M. SHAW,
Secretary.

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

Mr. BARTLETT. As I understand it, that recommendation was for \$125,000, whereas this bill carries only \$72,000. That is the difference.

Mr. MERCER. Yes; the recommendation of the Treasury Department is that the total authorization should be \$125,000. It seems that in the Fifty-fifth Congress legislation was had appropriating \$58,000 for this purpose, and, owing to the rise of building material and the increase of expense in other ways connected with building material, the Treasurer was unable to execute the legislation authorized in the Fifty-fifth Congress.

Mr. BARTLETT. And they have not spent a dollar of that money, owing to the fact that it is absolutely insufficient.

Mr. MERCER. So I understand; and the Treasury Department sent an estimate to the committee, making certain recommendations supplemental to a former recommendation, after this bill had been introduced, too late for this item to be changed, providing that the total authorization should be \$125,000, rather than \$72,000, meaning an increase in this bill of authorization of \$53,000.

Mr. Chairman, as no one else upon the floor has signified a desire to occupy the time, I ask unanimous consent that the committee do now rise, as if it had consumed the full three hours allotted for discussion upon this bill, and report the same back with a recommendation that the bill pass.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the committee do now rise and report the bill back to the House with a favorable recommendation, notwithstanding that the three hours of general debate has not yet elapsed, and as though it had elapsed. Is there objection?

There was no objection.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GROSVENOR, Chairman of the Committee of the Whole, reported that that committee had had under consideration the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, and had directed him to report the same back to the House with a recommendation that it do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point of order that the bill has never been read in the committee or in the House, and I think it ought to be read.

The SPEAKER. The gentleman will please restate his point of order.

Mr. RICHARDSON of Tennessee. The bill has not been read in the committee or in the House, and I submit the bill ought to be read.

The SPEAKER. The bill has been partially read in committee, and unanimous consent has been given by the committee to report the same back.

Mr. RICHARDSON of Tennessee. To dispense with the first reading in the committee?

The SPEAKER. That was in the report.

Mr. RICHARDSON of Tennessee. No, sir; the committee dispensed with the first reading of the bill in committee by unanimous consent.

The SPEAKER. The gentleman can demand the third reading of the bill, if he desires, after the bill has been engrossed and ordered to a third reading.

Mr. RICHARDSON of Tennessee. I do not demand the reading of the engrossed copy at all, but I simply make the point that the bill itself ought to be once read, for mere form, at any rate, before it is passed.

The SPEAKER. That has been dispensed with by unanimous consent given by the committee. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The third reading of the bill.

Mr. RICHARDSON of Tennessee. I did not hear the ruling of the Chair.

The SPEAKER. The Chair overruled the point of order.

Mr. RICHARDSON of Tennessee. Then the bill is to be passed without any reading at all?

The SPEAKER. The reading of the bill can be demanded in full now if the gentleman desires.

Mr. RICHARDSON of Tennessee. I submit it is very unusual—

The SPEAKER. But the committee gives unanimous consent for the course pursued, and the order itself—

Mr. RICHARDSON of Tennessee. Unanimous consent was given to dispense with the first reading of the bill in the committee, which is usual, but there has not been any consent given to dispense with the reading of the bill at all.

Mr. GREEN of Pennsylvania. We have all read the bill.

Mr. RICHARDSON of Tennessee. I have never seen a bill of this magnitude passed without it once being read.

The SPEAKER. The gentleman will please suspend. The Clerk will read the first ruling found on page 647 of the Manual.

The Clerk read as follows:

A bill which has been read in Committee of the Whole and reported favorably therefrom is not read in full again when acted upon by the House.

Mr. RICHARDSON of Tennessee. That is all right, but the bill has not been read in the Committee of the Whole.

The SPEAKER. The gentleman knows very well as a parliamentary—

Mr. RICHARDSON of Tennessee. But, Mr. Speaker—

The SPEAKER. Will the gentleman suspend a moment? The gentleman knows very well that the Chair has to assume that the bill has been read, and it comes here by unanimous consent.

Mr. RICHARDSON of Tennessee. I have not made myself understood to the Chair, with all due respect, I think. When we go into Committee of the Whole on the bill, the first motion usually is—or the first request—to dispense with the first reading of the bill; otherwise it would be read in full. Now, that was done. Then in Committee of the Whole it is usual to read the bill under the five-minute rule, and after that, the bill having been read in committee, the rule applies that it is not necessary that the bill should be again read, because it has been read under the five-minute rule in Committee of the Whole. But, Mr. Speaker, that has not been done—

Mr. DALZELL. Mr. Speaker—

Mr. GROSVENOR. Mr. Speaker, there are two answers—

Mr. RICHARDSON of Tennessee. I am not making a captious objection. It is unusual—

Mr. GROSVENOR. Yes.

Mr. RICHARDSON of Tennessee. It is unusual to pass a bill of this magnitude without reading it in the House of Representatives or in committee. Now, it has not been read in either place, and the unanimous consent that was given in Committee of the Whole was that which is usually given to dispense with the first reading, because there always follows a reading of the bill under the five-minute rule. But that was not done because of the special rule. Now we are called upon to pass a bill carrying this amount that never has been read in the House nor in committee.

Mr. GROSVENOR. Mr. Speaker, there are two answers to the point of order made by the gentleman from Tennessee.

The first is that the time for him to have made this point of order, if it was available, was before the committee rose and reported the bill back to the House. Then a point of order could have been made that it was not in order for the committee to rise and report the bill back, because it had not been read under the five-minute rule. That objection, however, would have been met by the order itself, which cut off the reading of the bill under the five-minute rule, and which binds the House to the action of the Committee of the Whole.

The SPEAKER. There is not the slightest difficulty about the situation, as the Chair views it. The Chair is bound to assume that every necessary step has been taken in the Committee of the Whole, including the reading of the bill. The gentleman from Tennessee knows very well that the reading under the five-minute rule is not one of the readings referred to in the rule, but is merely a matter of convenience for the members in case they wish to offer amendments. The rule adopted by the House makes that unnecessary, and the bill comes to the House with every presumption in favor of all having been done that is required to be done by the rules of the House of Representatives, and the House has passed the bill to its engrossment and third reading.

Mr. RICHARDSON of Tennessee. If I may be heard—

The SPEAKER. If the gentleman now desires to have the bill read in full, the Chair sees no objection to ordering it to be done. The rule requires it to be done if the demand is made. Otherwise, it will be done by its title.

Mr. RICHARDSON of Tennessee. Of course I could demand

the reading of the engrossed copy, but I have no desire or inclination to take the time to do that. I would have that right under the rule unquestionably to have the engrossed bill read, but I say I am not making a captious objection. My objection was one that, I think, went to the merits of the proposition, and that is, that the bill should have been once read, either in Committee of the Whole or in the House.

The SPEAKER. The Chair assumes that that was done if it was necessary. The Chair does not have the record of the committee before him. The question is on the third reading of the bill, which, in the absence of a demand for the reading of the engrossed bill in full, will be by title.

The bill was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question being taken on the passage of the bill, the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS of Illinois demanded the yeas and nays.

The yeas and nays were refused, 9 members (not a sufficient number) rising in support of the demand therefor.

Accordingly the bill was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

SECOND CONFERENCE OF AMERICAN STATES.

The SPEAKER laid before the House the following message from the President; which, with the accompanying documents, was ordered to be printed and referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, submitting the report, with accompanying papers, of the delegates of the United States to the second conference of American States held at the City of Mexico from October 22, 1901, to January 22, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, April 29, 1902.

AGRICULTURAL APPROPRIATION BILL.

On motion of Mr. WADSWORTH, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, with Mr. POWERS of Maine in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union on the bill H. R. 13895, the Agricultural appropriation bill. The pending question is the amendment offered by the gentleman from Massachusetts, which the Clerk will now report.

The Clerk read as follows:

In line 6, page 24, after the word "direct," insert:

"Provided, That the relative proportion of vegetable, flower, and other seeds allotted to any district shall be determined by the Secretary of Agriculture, in accordance with the written request of the Senator, Representative, or Delegate entitled to the same, filed with him at least sixty days prior to the time of advertisement for the purchase of such seeds: *Provided, however*, That the total cost of the seeds furnished under such written request shall not exceed the cost of the seeds that would otherwise be allotted to such Senator, Representative, or Delegate in Congress; nor shall the allotment of flower seeds of any other district be thereby curtailed."

Mr. BROMWELL. Mr. Chairman, this amendment is one which several years ago passed this House, but was rejected in the Senate. The amendment was also offered in the last Congress on this appropriation bill, but, as I remember it, it went out on a point of order. I understand that no point of order has been raised against it on this bill. It is a proper amendment. If seed distribution at the expense of the Government is to be continued, there ought to be some judgment and reason in the manner of the distribution. It is perfectly absurd, as gentlemen will concede, no doubt, that a great lot of agricultural seeds, vegetable and farming seeds, shall be sent to members representing city districts.

On the other hand, the number of flower-seed packages that are given to those representing the city and suburban districts is out of all proportion to the demands of their districts. If this appropriation is to be continued, it ought to be so arranged that the members who represent farming districts can have farming seeds—in other words, vegetable and garden seeds—while those who represent city and suburban districts should be excused from the distribution of garden and vegetable seeds, and should be given flower seeds. The object of this amendment is to permit the Secretary of Agriculture, upon the request of Members and Senators, to make such selection of seeds as will meet the needs of their individual districts. Now, I understand that the Secretary of Agriculture—

Mr. GAINES of Tennessee. Do I understand that the gentleman's amendment excludes the country people from having flower seed?

Mr. BROMWELL. No; it does not cut any member off from getting his full quota of flower seeds as he does now. The only thing it does is to permit the city member to obtain flower seeds instead of vegetable seeds.

Mr. GAINES of Tennessee. Why not give him flower seeds as a right and not give him any garden seed at all?

Mr. BROMWELL. The probability is that the city member would not want any vegetable seeds.

Mr. GAINES of Tennessee. That is just exactly what I am saying.

Mr. BROMWELL. If this amendment is agreed to the city member will be able to get flower seeds.

Mr. WACHTER. Will the gentleman allow me to ask him a question?

Mr. BROMWELL. Certainly.

Mr. WACHTER. Would that be at the option of the city member?

Mr. BROMWELL. That will be at the option of the city member.

Mr. HENRY of Connecticut. I would suggest to the gentleman that I assume that the Secretary of Agriculture has the right and has the power conferred in this amendment, and it is therefore superfluous.

Mr. BROMWELL. I do not know whether he has the power or not.

Mr. HENRY of Connecticut. He is willing to do this.

Mr. BROMWELL. But I do know the fact that in the past the Secretary of Agriculture has felt constrained to give each member the same number of vegetable seeds and flower seeds.

Mr. HENRY of Connecticut. But I understand the gentleman from Massachusetts, who offered this amendment, has a letter from the Secretary of Agriculture proposing to do just what this amendment does.

Mr. BROMWELL. I was going to add, if the gentleman had not made that statement, that I also have had a statement from the gentleman in charge of the seed division of the Agricultural Department, in which he said that arrangements will hereafter be made by which a member can express his preference and get the seeds from the Department possibly without the legislation in this bill, and secure the variety of seeds that he desires.

I want to say, Mr. Chairman—and it may be the last opportunity that I will have—that the present Secretary of Agriculture, it seems to me, has grown with the needs of the service of his Department, and is to-day perhaps the best-qualified man in the country for the position which he holds. The change which has been made since he has taken hold of this work of the Agricultural Department has been in the interest of agriculture in this country, and I believe that as we are so often criticising those departments, when an opportunity comes to pay a little tribute of praise for efficient and valuable service we ought not to hesitate to render it. [Applause.]

Seed distribution is a thing which I have opposed, I think consistently, ever since I have been a member of Congress. I did not believe in it, and I do not believe in it to-day; and yet there is no question at all but what the farmers, and, for that matter, the city people, are all as anxious to get their quota of flower and vegetable seeds as they are to get their share of publications that are issued from the different departments; and therefore, recognizing that this distribution will probably continue, I hope that whenever an opportunity comes for improving the service in this regard that the House will not hesitate to adopt it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, this amendment has for its object just what an amendment had which was offered at the last session of Congress. I objected to the amendment at that time, for reasons which do not exist upon the face of the present amendment. The amendment now is in such shape that I think there can be no legitimate objection to it on the part of members who represent the country districts, because the amendment itself provides that such members as designate flower seed instead of vegetable seed shall not be permitted to get a larger money value of seeds than the country members get, or which they themselves otherwise would get.

The amendment furthermore provides that the number or amount of flower seeds gotten by other members shall not be curtailed because of the selection of flower seeds instead of vegetable seeds by other members. I merely want to say that I see no objection to the amendment.

Mr. ROBERTS. Mr. Chairman, since introducing the amendment under discussion, I have received a letter from the Secretary of Agriculture, in which he states that if this amendment is adopted and becomes a law, he feels that it will seriously interfere with the securing of proper seeds, for the reason that some of these contracts have to be made one and two years in advance.

The Secretary also states in his letter, which I shall later send to the desk and ask to have read, that arrangements have been made, and will be hereafter made, to provide city members with such amount of flower seeds as their districts will require, and that hereafter there will be no trouble whatever on the part of city members. I ask that this letter be read in my time.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the letter be read in his time. Is there objection?

There was no objection.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY,
Washington, D. C., April 29, 1902.

MY DEAR SIR: I notice from the proceedings in the House yesterday that you introduced an amendment providing that the relative proportion of vegetable, flower, and other seeds allotted to any district shall be determined by the Secretary of Agriculture in accordance with the written request of the Senator, Representative, or Delegate entitled to the same, filed with him at least sixty days prior to the time of the advertisement for the purchase of such seeds.

Evidently the object of this amendment is to give city members flower seeds and country members vegetable seeds, if they so desire. Owing to the enormous quantity of seed which now has to be purchased I feel certain that any clause of this kind would seriously interfere with securing proper seed, as it now happens that quite a number of our contracts for seed have to be made at least a year and sometimes two years in advance. All contracts for seed for next year have already been made; in fact, they had to be made in order to secure the seed at all, as it would not have been practicable to await the enactment of the bill by Congress.

Of course, the contracts are subject to appropriations made by Congress. As a matter of fact, however, this very point that you make has been considered fully this year by the Chief of the Bureau of Plant Industry, who is in charge of this work. Arrangements have been made to furnish city members flower seed if they so elect, so that I am sure there will be no difficulty in securing flower seed in the future for city constituencies. The quantity of flower seed given to each member has also been increased and other improvements in the seed distribution made, which will bring it back to its original intent.

In view of these facts I trust that you will not find it necessary to push the amendment you have introduced.

Very truly, yours,

JAMES WILSON,
Secretary.

HON. E. W. ROBERTS,
House of Representatives.

Mr. ROBERTS. Mr. Chairman, I had no intention of impeding or embarrassing the Department of Agriculture when I offered the amendment yesterday. In view of the statement of the Secretary that the amendment, if adopted, might embarrass the Department, in view of his further statement that arrangements have been made whereby city members will secure flower seeds the same as if the amendment had been adopted, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to withdraw the amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. SHAFROTH. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

Insert after the word "indicated," in line 6, page 25, the following: "And upon request to the Secretary by a Representative or Delegate there shall be placed in each envelope or wrapper such number of small packages of seeds of his quota as he may designate."

Mr. SHAFROTH. Mr. Chairman, the object of this amendment is this: At the present time five small packages are placed in an envelope or wrapper and that wrapper is subject to one frank. Now, some of us desire to send more than one of these wrappers or envelopes to a constituent. For instance, I have been sending this session of Congress four to each constituent to whom I send seeds at all. It causes the necessity of directing four different packages, whereas simply upon request made to the Secretary the four packages could be inclosed in the one wrapper, and that would obviate the difficulty and save an immense amount of labor. In other words, in my case it would save three-quarters of the time in directing seeds.

Mr. WILLIAMS of Illinois. Does not the gentleman think that might encourage other constituents to send for the same amount of seeds and thus embarrass the member?

Mr. SHAFROTH. No; I do not think they understand how many packages are placed in a wrapper. They do not know anything about the distribution of the seeds. A great many envelopes that are directed to me are directed in care of the Agricultural Department. You will find that this will save an immense amount of labor in the direction of packages of seeds. In cases where you want to send two it would save one-half, and when you want to send three it will save two-thirds. It seems to me, in view of that fact, and that it is no more trouble to the Department, that this amendment ought to be adopted.

Mr. BROMWELL. Mr. Chairman, I want to make a suggestion that to my mind is a much better way to get around the difficulty the gentleman speaks of. I have suggested this to Mr. Galloway, of the Agricultural Department, and I think the plan will be adopted. All of us have calls for special kinds of seeds, and the party writes the names of the seed he wants. The seed packages are put up at present and sealed, having five small packages of seed with the name stamped thereon on the outside of the wrapper. When the member gets the request from his constituent it becomes necessary frequently to tear open a great number of these packages and take out the seed packages and rewrap them and mail them.

I have suggested to Mr. Galloway that if a certain proportion

of each member's quota could be furnished to him in bulk, with the "outside wrapper unsealed, so that he could take the inside packages of seeds and select those called for and put as many as he chooses in the outside wrapper and seal it and mail it, it would be a great convenience for the members and it would accomplish the very purpose to which the gentleman from Colorado speaks. At the same time it would prevent a great deal of waste of inside packages by reason of the fact that frequently a party will ask for one or two of the kinds of seeds inclosed and would not want the other three. According to the plan I have suggested the member can select the two he wants and retain the three to send to some other constituent.

Mr. SHAFROTH. What did Mr. Galloway say?

Mr. BROMWELL. He said he thought there was no doubt that my suggestion could be complied with.

Mr. SHAFROTH. I have no doubt that would be an improvement on the present condition, but at the same time it does not quite meet the condition that arises in my case, where I send all the seeds that are in two or three packages to one constituent. Each one of those packages under the present system must be addressed, but if this amendment be adopted all we have to do is to put the 10 small packages into 1 envelope, so that in directing there will be only half as much work as in directing 2 envelopes each containing 5 packages. There would thus be considerable saving of labor. Under the present system, if you want to send a constituent 15 small packages, you have to write 3 addresses.

Mr. BROMWELL. Oh, no; not under the plan I propose. I would take the entire 15 and put them in one wrapper.

Mr. SHAFROTH. I do not receive one request out of a hundred asking for any particular kind of flower seed or vegetable seed; consequently I send the writers the regular allotment.

Mr. BROMWELL. Nine-tenths of those sending requests to me specify the seeds that they want.

Mr. SHAFROTH. As to nine-tenths of the applications sent to me there is no request, but simply the names. Now, if the seeds are put in such packages as I propose, one-half or three-fourths of the labor in directing the packages to constituents is saved.

Mr. VANDIVER. Does not my friend think that the work of reassorting would increase the labor much more than would be saved by his plan?

Mr. SHAFROTH. My plan does not involve reassorting at all.

Mr. GROSVENOR. Mr. Chairman, the suggestion of my colleague [Mr. BROMWELL] does not go far enough to meet the emergency of this occasion. In order that we may become adept and competent distributors of garden seed under that system, the Government ought to furnish a convenient number of tin cans, about the size, perhaps, of tubs, with the proper label upon each and a little tin scoop with each one, so that the member of Congress, in his leisure hours—having nothing else to do—may, aided by his clerk, to read the prescription of the constituent [laughter], shovel the contents properly into the little bags, and send them off.

I am content to do the best I can to distribute the garden seeds that come to me. I take great pains to send the flower seeds that come in my quota to those that I think will appreciate them. As a rule, they are sent to the daughters of farmers or to persons residing in the little hamlets of my district, not to the cities, where the people have hothouses and other facilities for promoting the development of the flora of the country.

Now, I am willing to do all that; but I draw the line on the subject of packing garden seeds into parcels to suit the demands of my constituents. More than one-half of the letters I get start out with a catalogue of the seeds that the writer wants. If such an amendment as now suggested should be put upon this bill, I should be obliged to have a number of cans or tubs, or whatever they might be, larger than any room I can afford to pay for at my hotel.

Mr. VANDIVER. Does not the gentleman from Ohio think that if this business of distributing seeds is to go on in competition with all the corner groceries of the country, so as to supply all the various kinds of seeds to each person who may desire them, it will become advisable and necessary that we furnish members with additional clerks and furnish the Agricultural Department with an additional supply of money—enough to buy seeds for all the people throughout the whole country? I do not see where the limit is to be fixed if we keep on with this business.

Mr. GROSVENOR. I know where I would fix the limit. I would not make the matter any worse than it is now.

Mr. WANGER. The gentleman says he does not want this matter to become "worse." Does he regard it as being bad now?

Mr. GROSVENOR. It is somewhat of a burden, but I am willing to bear my share of "the white man's burden" and the black man's burden, so far as the matter has now extended; but I am not willing, if I can help myself, to go into the business of packing assorted garden seeds into the appropriate parcels.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am reluctant

to oppose anything offered by my friend from Colorado [Mr. SHAFROTH], but I think that this amendment ought not to pass. It would save very little labor to members of the House. Already they are furnished with slips. After this their franks will be printed upon the slips. It is very little trouble to direct three slips instead of one, or two instead of one; and although the plan suggested might save a little labor to the member, it would put much more labor on the Agricultural Department, because then the Department, instead of dealing with a uniform package, would have to deal with a large number of packages of various sizes, in accordance with the whims of members or their constituents. I do not think we ought to undertake to save a small amount of labor to ourselves at the expense of putting a great deal of labor upon the Department.

Mr. SHAFROTH. Mr. Chairman, I move to strike out the last word. There is another reason, it seems to me, why this amendment should be adopted. It is not only a saving to the members but it is also a saving in the handling of these packages through the Post-Office Department. Each particular package causes as much trouble to be handled, if it is small or double the size, and consequently there will be some saving in that line, but the Department will not be put to much trouble because of the fact that there is not more than one member out of four who will want his seed in different size packages than the regular size of five small packages in a wrapper, and to those who do want them, and particularly to those who have some city constituents, it seems to me that there would be a great saving in the distribution of these packages of seeds if 20 small packages or 10 small packages could be sent in one envelope to one address instead of by two or three or four addresses.

Mr. HENRY of Connecticut. Mr. Chairman, I would like to say that if the members will go to Dr. Galloway, I have not the least doubt but he will comply with any reasonable request. Such an amendment as this is entirely unnecessary.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Colorado.

Mr. SHAFROTH. Mr. Chairman, before the question is taken I ask that the amendment be again read by the Clerk.

The CHAIRMAN. The gentleman asks unanimous consent that the amendment be again read. Is there objection?

There was no objection, and the Clerk again read the amendment.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment rejected.

The Clerk read as follows:

Investigating production of domestic sugar: For all expenses, including the employment of labor in the city of Washington or elsewhere, necessary to enable the Secretary of Agriculture to continue inquiry and ascertain the progress made in the production of domestic sugar from beets and sorghum, including the area of available lands thereto by irrigation or otherwise, and to investigate all other matters concerning the same, \$5,000: *Provided*, That all appropriations herein or hereafter made for the benefit of the Bureau of Plant Industry, and to be expended under the general direction of the Chief of that Bureau, shall be considered interchangeable, and may be used for the work of any of the several branches and offices thereof as the necessities of the service may, in the judgment of the Secretary of Agriculture, demand; and the clerks, laborers, and others appointed to or employed in any particular office or branch of that Bureau may be detailed to perform service in any other office or branch thereof.

Mr. CANNON. Mr. Chairman, I rise to a point of order.

Mr. WADSWORTH. Let me make an amendment first.

Mr. CANNON. If the gentleman makes his amendment it will be too late for me to make my point of order.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. CANNON. I make the point of order upon all of the proviso from line 10 to line 20, inclusive, commencing with the word "Provided," and particularly do I make the point of order upon the word "hereafter," in line 11, page 26. I call the attention of the Chair and of the committee as well to the fact that this changes existing law. They are not content with putting in this general consolidation provision in this bill, but they change the law and say that hereafter all appropriations in detail, every dollar of it, seeds and everything else—hearken, my fellow-statesmen [laughter]—by means of this provision (I was going to say surreptitious provision), artfully couched in these words, this dominating committee proposes to make available every dollar that is appropriated for our seeds to employ clerks with. [Laughter.]

Now, is that to be submitted to for a holy minute? That is just what it does. Six hundred and one thousand seven hundred and eighty dollars in amount, commencing on page 14, Bureau of Plant Industry, covering every page up to and including 26, covering all appropriations for seeds and everything else by this surreptitious proviso, is all lumped, in the discretion of the Secretary, now and hereafter, into one sum, and made available for the appointment of clerks or laborers or employees. We can not stand it, and in the interests of the horny-handed sons of toil in this House [laughter], and I am one of them, I rise and invoke the point of order upon this whole provision.

Mr. WADSWORTH. Mr. Chairman, the point of order is undoubtedly well taken, and I will say further that I was on my feet to ask that that proviso be stricken out. We put it in the bill, I think, under misapprehension. It is undoubtedly not good legislation, and I hope the committee will strike it out, but not on a point of order, but on its merits.

Mr. CANNON. Now, just a word in reply. I am still not content. I know I could not overthrow my genial friend from Connecticut [Mr. HENRY] and other gentlemen alone, and as long as this is written in the bill and in the name of the farmer, I am afraid my friend from New York [Mr. WADSWORTH] and myself together could not knock this out, bad as it is, and therefore I must adhere to my point of order.

Mr. WADSWORTH. Well, the end justifies the means. It is immaterial which way it goes out. If it goes out on a point of order, I am content, although I would rather have it put out on its merits.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WADSWORTH. One moment, before the Clerk reads. I offer the following amendment:

In line 8, after the word "lands," insert the word "adapted."

It is a mere clerical amendment, and I ask unanimous consent that it be adopted.

The CHAIRMAN. Without objection, the bill will be so amended.

There was no objection.

The Clerk read as follows:

Total for Bureau of Plant Industry, \$901,780.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert after line 22, page 26, the following:

"That it shall be unlawful for any transportation company, after July 1, 1902, to offer for entry at any port in the United States, any trees, plants, shrubs, vines, grafts, cuttings, and buds, commonly known as nursery stock, unless accompanied by a certificate of inspection by a qualified expert of the country from which the exportation was made, officially appointed by the government thereof, certifying that the contents have been carefully examined and found apparently free from all insect and fungous or other disease dangerously injurious to nursery stock.

"In case any nursery goods are offered for entry at any port of the United States without said certificate, as herein prescribed, it shall be the duty of the collector immediately to notify the Secretary of Agriculture, who shall arrange for inspection to be made at the expense of the importer, who shall pay therefor a fee to be fixed by the Secretary of Agriculture, and said collector shall not allow them to pass within the jurisdiction of the United States until a satisfactory certificate of inspection has been received. And after the aforesaid date, July 1, 1902, all nursery stock imported in accordance with the aforesaid regulations shall be free from all further inspection, quarantine, or restriction in interstate commerce: *Provided, however*, That the Secretary of Agriculture may, in his discretion, order specific examinations, and may also, at any time, relieve such articles from inspection by a specific order.

"SEC. 2. That whenever it shall appear to the Secretary of Agriculture that any nursery stock or variety of fruit grown in an infested district outside of the United States is being, or is about to be, imported into the United States, and such nursery stock or variety of fruit is infested by any seriously injurious insect or disease, which insect or disease is liable to become established in the United States and seriously affect any such nursery stock or variety of fruit grown therein, he shall have authority to quarantine against any such importations and prevent the same until such time as it may appear to him that any such insect or disease has become exterminated in the country or district from which such fruit or nursery stock is being, or is about to be, imported, when he may withdraw the quarantine, and this shall operate to relieve all such nursery stock or fruit from such further quarantine or restriction as is provided for in this section so long as the conditions of freedom from seriously injurious insects or disease shall continue.

"SEC. 3. That the Secretary of Agriculture may designate, in each State and Territory and in the District of Columbia, qualified experts, with authority to examine all nursery stock about to be transported from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia, and issue their certificate stating the results of such examinations.

"The Secretary may publish rules and regulations prescribing the terms and conditions under which such experts may act. These examinations shall be made, so far as possible, between June 1 and September 1 of each year, in the manner prescribed by the Secretary of Agriculture; and if such nursery stock is found to be apparently free from dangerously injurious insects or diseases, the certificate of the authorized expert making such examination and finding shall be issued to the owner or owners of such nursery stock, a copy of which certificate shall be attached to and accompany each carload, box, bale, or package, and when so attached and accompanying shall operate to release all such nursery stock from further inspection, quarantine, or restriction in interstate commerce.

"SEC. 4. That it shall be unlawful for any person, persons, or corporation to deliver to any other person, persons, or corporation, or to the postal service of the United States (except for scientific purposes by permission of the Secretary of Agriculture), for transportation from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or for exportation to any foreign country, any trees, plants, shrubs, vines, or other nursery stock which have not been examined in accordance with the provisions of section 3 of this act, or which, on said examination, have been declared by the inspector to be infested with dangerously injurious insects or diseases. Any person, persons, firm, or corporation who shall forge, counterfeit, or knowingly alter, deface, or destroy any certificate or copy thereof, as provided for in this act and in the regulations of the Secretary of Agriculture, or shall in any way violate the provisions of this act, shall be deemed guilty of a misdemeanor, and on a conviction thereof shall be punished by a fine not to exceed \$500 nor less than \$200, or by imprisonment not to exceed one year, or both, at the discretion of the court.

"SEC. 5. That the rules and regulations herein provided for shall be promulgated on or before the 1st day of July in each year.

"SEC. 6. That the sum of \$50,000, to be available on the 1st day of May, 1902, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to carry into effect the provisions of this act.

"SEC. 7. That this act shall take effect on and after the 30th day of June, 1902.

"SEC. 8. That the provisions of this act shall not apply in interstate commerce to florists' greenhouse trees, shrubs, plants, and bulbs, commonly known as florists' stock."

Mr. CANNON. Mr. Chairman, I must certainly reserve the point of order on this amendment until I can look a little further. On a hasty reading of it I think I shall have to make the point of order that it is new legislation.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. CANNON. Well, if there is any necessity for it, although my friend requests me for a moment to reserve the point of order, I certainly have no objection to doing that.

Mr. HAUGEN. Mr. Chairman, I offered this amendment, which is the same as House bill 10999, to provide rules and regulations governing the importation of trees, plants, shrubs, vines, grafts, cuttings, and buds, commonly known as nursery stock, and fruits into the United States, and rules and regulations for the inspection of trees, plants, shrubs, vines, grafts, cuttings, and buds, commonly known as nursery stock, grown within the United States, which become subjects of interstate commerce or exportation. This bill has been before Congress for a number of years.

Mr. WADSWORTH. Three years.

Mr. HAUGEN. The bill was submitted to the nurserymen of this country, to the Agricultural Department, and the scientific men in the Department before it was introduced in this Congress, and as far as I know it meets with the approval of all concerned. The legislation is very much desired by all parts of the country, especially, I think, by the people of California.

I have been in correspondence with a number of people from different parts of the country, California and New York more especially, and so far as I know this legislation is much desired by all interested in this business. I hope that the gentleman from Illinois [Mr. CANNON] will not raise the point of order. I should like to have the Clerk read the report that accompanies the bill, for the information of the committee, before the point of order is ruled upon.

The CHAIRMAN. Does the gentleman ask that it be read in his time?

Mr. HAUGEN. Yes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the report which he sends to the Clerk's desk be read in his time. Is there objection?

There was no objection.

The Clerk began the reading of the report.

The CHAIRMAN (during the reading). The time of the gentleman has expired.

Mr. HAUGEN. I ask unanimous consent to have the report printed in the RECORD.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the report which the Clerk has been reading be printed in the RECORD. Is there objection?

There was no objection.

The report is as follows:

The Committee on Agriculture, to whom was referred the bill (H. R. 10999) to provide rules and regulations governing the importation of trees, plants, shrubs, vines, grafts, cuttings, and buds, commonly known as nursery stock and fruits, into the United States, and rules and regulations for the inspection of trees, plants, shrubs, vines, grafts, cuttings, and buds, commonly known as nursery stock, grown within the United States, which become subjects of interstate commerce or exportation, report the same to the House with the unanimous recommendation that it do pass.

The necessity of such legislation is of grave importance for the protection of our agricultural and horticultural interests. Scientific men and nurserymen have recommended it for years, and the demand for it upon the part of the people has become so strong that it should be deferred no longer. The pending bill has been indorsed by representatives of entomologists and vegetable pathologists, as well as by nurserymen and fruit growers. The committee is not advised of any opposition to this bill from any quarter.

It is an acknowledged fact that fully one-half of the principal injurious insects now in the United States have been introduced from foreign countries. No effort on the part of the General Government has ever been made to inhibit the entrance of such pests.

The State of California has alone established a horticultural quarantine at the port of San Francisco, but this is the only one of our great ports which is so protected. At San Francisco during the past year 122 steamships and sailing vessels arrived carrying trees, plants, and fruits from Japan, Ceylon, Australia, New Zealand, South Sea Islands, Central America, Mexico, and British Columbia. The quarantine officer destroyed over 3,000 trees and plants infested with insects new to California. Other stock was thoroughly fumigated with hydrocyanic acid gas.

The estimated annual damage to agricultural and horticultural interests of this country from the attacks of injurious insects amounts to \$300,000,000; and it is safe to say that, at a low estimate, at least one-half of this damage is done by imported insects.

As indicated in a later paragraph, a number of foreign countries have quarantined against American plants and fruits, but no such quarantine exists in this country, although the necessity of it, from the facts just mentioned, is obvious.

There exists in Europe, especially in south Europe, and in the countries beyond the Pacific, with which we are just entering into greatly enlarged commercial relations, many insects noted as pests which are liable at any time to make their appearance in this country under existing conditions.

It has been so general an experience as to make it practically a hard-and-fast rule that foreign insects introduced into this country thrive in a much greater degree than in their own native homes.

From the West Indies and from Mexico we are also in danger. For example, there exists in Mexico a maggot which infests oranges and lemons, known as Morelos fruit worm, which has not yet become established in this country. It occurs in all parts of Mexico and Central America, except possibly the State of Sonora in Mexico, and Mexican oranges for the United States have come across our borders and taken their place in our markets during the months of November and December. Most of these oranges have previously been shipped to Northern markets, where there is no danger of an orange pest establishing itself. Of late, however, they have been carried into California, and the extensive citrus industry of that State is in danger. Within the past two months a cargo of Mexican oranges, riddled with this maggot, was stopped at the port of San Francisco, and the oranges were burned under the operation of the State quarantine law.

Louisiana and Florida are not protected in the same way, however, and the danger is a real one. Even in the case of the Mexican oranges shipped to the Northern and Middle States, the empty cars are frequently carried back to California, and perhaps to other orange-growing regions, and thus becoming an additional source of danger.

The success of the State quarantine at the port of San Francisco indicates what may be done and what should be done at other ports of entry of the country by national legislation. It should be said, however, that while the quarantine at San Francisco protects California, it does not protect the rest of the country, because the State officers have jurisdiction over shipments intended for California.

It is safe to say that had such a quarantine service been in operation at all the principal ports of the United States during the past thirty years, the cost of its operation would have compared with the actual saving to the agricultural and horticultural interests of this country as 1 to 100, and it is equally safe to say that such a service in the future would result with equal, and probably, on account of the increased foreign trade, with greater relative benefit to this country.

A seriously destructive insect known as the San Jose scale, introduced a number of years ago into California, possibly from Japan, has been and is being scattered over our country in interstate commerce.

This scale is the worst insect enemy to orchard trees which this country has ever known. Since its accidental introduction into the Eastern States it has spread or has been carried into almost every State in which the orchard industry is a feature. It has done its greatest damage in the States of Maryland, Virginia, New Jersey, Ohio, Georgia, Indiana, and Illinois. It also occurs in Canada, and has been the cause of an absolute prohibition against the introduction of American trees and plants on the part of Canada, Germany, Austria-Hungary, France, Switzerland, Turkey, and Cape Colony, and of fruits as well on the part of Germany.

The worst aspect of this danger is that the insect itself is so extremely minute that it is carried in shipments of trees and plants, and obtains a foothold in many places, and entirely escapes the attention of the untrained eye until after it may have done irreparable damage and become thoroughly established and escaped from this as a center of destruction to the regions round about.

In spite of its minute size, it multiplies with such rapidity as to cover the bark of young trees and sap their vitality to such an extent that the trees are killed in the course of two or three years.

For example, in Maryland a peach orchard of 20,000 trees was completely destroyed in two years.

An outbreak occurred on Catawba Island, Ohio, which necessitated the destruction of over 3,000 bearing peach trees and the expensive treatment of an additional area of 1,000 acres.

The peach and plum interests of Georgia are very great. In one county alone the orchards are estimated to be worth over \$5,000,000. In certain portions of the State the trees have become infested by the scale to such an extent that within the past few weeks one orchard of 3,000 trees has been condemned and the trees burned. In another orchard 1,000 trees have been condemned and burned the present winter. Thus the orchard interests of this State are threatened, perhaps, with extinction.

In North Carolina a valuable orchard of 60,000 large peach trees was cut down, and the trees were burned the past autumn.

Instances similar to these might be multiplied.

The danger from this insect is greater in this country than in any other country on account of the custom among nurserymen and orchardists of very extended interstate commerce. Nursery stock is bought in small and large quantities in different States and is shipped by freight, express, or by mail to other States, thus spreading the infestation.

The chief danger to the nursery interests of the country is that the different States have passed diverse laws, many of them very drastic in character, practically prohibitory, so that an honest nurseryman is unable to send clean nursery stock into many of the States, while a dishonest man, or a careless one, may freely send infested stock to other States which have not yet protected themselves by State laws. These difficulties can only be reached by a law governing interstate commerce, such as is now proposed.

Moreover, aside from the actual damage which the insect has done in nurseries, the fact becoming known that a nursery has become infested with a scale has, in many cases, operated so severely as to entirely destroy the reputation and credit of the firm.

A single extensive nursery located in the Middle West was forced into bankruptcy on account of having become infested by this pest, which not only necessitated the destruction of many thousand trees, but practically put a stop to further sales of noninfested stock. A loss of \$100,000 was thus entailed.

From what has just been said the necessity for a uniform national law becomes apparent. The different requirements of State laws and the entire lack of any law in certain States has produced a condition intolerable to the nurseryman and of great danger to the orchardist.

For example, a man shipping trees into Maryland requires one form of certificate; shipping into Virginia he requires yet another form under present regulations; while into other States, as Ohio, no form of certificate is required, thus making it the dumping ground for infested stock from all districts.

Moreover, in New York the law prohibits sending infested stock outside the State, but does not prohibit its entrance.

Such incongruities as these in State laws indicate most strongly the necessity for a uniform national law.

In the opinion of the committee this bill is a step in the right direction, and is worthy of early and favorable consideration.

The Department of Agriculture has for some time been collecting, with the assistance of the Department of State, the full texts of the regulations of those foreign governments which have, through fear of the introduction of San Jose scale, adopted measures prohibiting the importation of American plants and fruits or requiring inspection before admission. However, the series is not yet perfectly complete. The digests have been made with care.

Austria-Hungary.—Prohibits (decree of April 20, 1898) importation of America of living plants, grafts and layers, and fresh plant refuse of every kind, as well as the barrels, boxes, and other coverings in which such goods or refuse may be packed, and fresh fruit and the refuse of fresh fruit, as well as the packings which may cover the same, when examination on frontier

shall prove presence of San Jose scale. Admission limited to Bodenbach, Tetschen, Trieste, and Fiume. Also prohibits transit of such goods through the Empire.

Belgium.—Importation and transit of fresh fruits, living plants, and fresh parts of plants sent from the United States can take place only by ports of Antwerp, Ghent, and Ostende, upon production of a certificate from competent authority attesting that products are not contaminated by San Jose scale. If not accompanied by certificate, products can not be delivered until inspected, and, if not exempt, must be destroyed with packings; cost of all service at expense of importer. Order goes into effect March 15, 1899. Does not apply to shipments in direct transit by railway under supervision of customs authorities.

British Columbia.—Rules and regulations, published June 25, 1897 (under authority of "Horticultural board act, 1894"), provide that all importers of nursery stock, trees, plants, or fruit must give notice upon arrival, and before removal from wharf or station, to a member of the board or to the inspector of fruit pests, who shall inspect the same and, if clean, issue a certificate which shall be good for three months, unless revoked by further inspection. Nursery stock found to be infected shall be disinfected or destroyed. Fruit found to be infected shall be destroyed or reshipped.

Canada.—Prohibits (San Jose scale act, 18th March, 1898) importations of nursery stock from United States, Australia, Japan, and Hawaii. Stock so imported to be destroyed and importer liable to penalty prescribed by section 6 of customs tariff (\$200 for each offense).

Exempts:

1. Greenhouse plants, with the exception of roses. (Amended April 25, 1900, by striking out the words "with the exception of roses" after words "Greenhouse plants.")
2. Herbaceous perennials.
3. Herbaceous bedding plants.
4. All conifers.
5. Bulbs and tubers.

Amended (April 7, 1900) so as to authorize importations from April 7 to May 15, through customs ports of St. John, N. B.; St. Johns, Quebec; Niagara Falls and Windsor, Ontario, and Winnipeg, Manitoba, only, where they will be thoroughly fumigated with hydrocyanic acid gas.

Cape of Good Hope.—Regulations published March 25, 1896, under authority of act No. 9, dated 1876, prohibits importation of any stone-fruit tree, or any fruit, scion, cutting, graft, root, or seed, the growth or produce thereof, from the United States, and anyone importing such article as aforesaid shall be subject to a fine not exceeding £100 sterling or six months' imprisonment, and, in addition, the articles will be destroyed.

Note.—Consul-General Stowe states (February 7, 1900) that proposal is under consideration to relax above as regards States where neither "peach yellows" nor "peach rosette" exists.

France.—Prohibits (decree of November 30, 1898) entry into and passing through France of trees, shrubs, products of nurseries, cuttings, and all other plants or parts of living plants, as well as fresh debris from them, from United States, directly or in storage, as well as cases, sacks, etc., used for packing. Also prohibits fresh fruit and debris, when examination proves presence of insect at entry into France.

Germany.—Prohibits (decree of February 5, 1898) importation of living plants and parts of living plants from America, and barrels, boxes, etc., used for packing. Also fresh fruit or fresh parts of fruit when examination at port of entry shows presence of San Jose scale. Imperial chancellor authorized to grant exceptions.

Amended (commercial agreement of July 10, 1900) by annulling regulation providing that dried or evaporated fruits from United States be inspected. Such fruits now admitted without other charge than customs duties. Introduced at following points:

LIST OF PLACES AT THE BOUNDARY WHERE PLANTS MAY BE INTRODUCED.

(a) *Prussia.*—Main customs office, Eydtkuhnen; main customs office, Pillau; main tax office, Königsberg in Pr.; main customs office, Danzig; main tax office, Stettin; main customs office, Liebau; main customs office, Myslowitz; subcustoms office, 1 Oderberg; subcustoms office, 1 Ziegenhals; subcustoms office, 1 Halbstadt; subcustoms office, 1 Seidenberg; main customs office, Aachen, inclusive of the customs inspection office in the depot of Templerbend and the freight depot of Roth Erde; main customs office, Emmerich, inclusive of the two steamship-inspection offices and the customs inspection office located at that place; main customs office, Kaldenkirchen, inclusive of the customs-inspection office at the depot at that place; subcustoms office, Herbesthal; subcustoms office, Bentheim; subcustoms office, Borken; subcustoms office, Weener; main customs office Geestmünde; main customs office, Flensburg; main customs office, Hadersleben, inclusive of the subcustoms office, 1 Woyens; main customs office, Kiel; customs office at the depot in Luxemburg.

(b) *Bavaria.*—Main customs office, Lindau; main customs office, Passau; subcustoms office, Kufstein; subcustoms office, Salzburg; main customs office, Simbach, and subcustoms office, Scharding a. Th.; main customs office, Firth a. W.; subcustoms office, Eger; subcustoms office, Oberzell; subcustoms office, 1, at the depot of Eisenstein.

(c) *Kingdom of Saxony.*—Main customs office, Zittau; main customs office, Schandau; subcustoms offices, Bodenbach and Tetschen; subcustoms office, Voiteersreuth; subcustoms office, Reitzenhain; subcustoms office, 1 Warnsdorf.

(d) *Württemberg.*—Main customs office, Friedrichshafen.

(e) *Baden.*—Main customs office, Konstanz; main tax office, Singen; main tax office, Seckingen; customs offices at the depots of Schaffhausen and Waldshut; subcustoms office, Erzingen; customs office at the depot of Basel.

(f) *Oldenburg.*—Subcustoms office, 1 Nordenham.

(g) *Lübeck.*—Main custom-house, Lübeck.

(h) *Bremen.*—Port of entry, Bremen; port of entry, Bremerhaven.

(i) *Hamburg.*—Quay office, Hamburg.

(k) *Alsace-Lorraine.*—Subcustoms office, Fentsch; subcustoms office, Amanweiler; subcustoms office, Novéant; subcustoms office, Chambrey; subcustoms office, Deutsch-Avicourt; subcustoms office, Altmünsterol; subcustoms office, Basel; subcustoms office, Markkirch; subcustoms office, Saales; subcustoms office, Diedolshausen; subcustoms office, Urbis.

Netherlands.—Prohibits (decree of May 23, 1899) importation and transit, direct or indirect, of live trees and shrubs, or live parts thereof, produced in America, including boxes, casks, baskets, sacks, vessels, and other articles used for packing, unless accompanied by certificate issued by consular officer of Netherlands or competent authority in port of shipment, and objects shall not be landed unless certificate is satisfactory to receiver of import duties.

New Zealand.—Prohibits (act of 1896) importation of fruit of any kind infested with fruit flies. Fruit infested with codling moth will be destroyed unless immediately reshipped. Fruit, plants, trees, cuttings, or buds infested with any scale insect will be admitted only when accompanied by certificate. Otherwise it will be fumigated at expense of importer or destroyed.

Imported fruit admitted only at Bluff, Dunedin, Christchurch, Wellington, and Auckland.

*Exceptions: (a) Importations from countries bordering on the Netherlands in which measures have been taken for combatting the San Jose scale. (b) Importations for scientific purposes. (c) To meet requirements of frontier commerce.

Live plants admitted only at Dunedin, Christchurch, Wellington, and Auckland.

Fumigation performed only at Dunedin, Christchurch, Wellington, and Auckland.

Switzerland.—Prohibits plants; prohibits importation of fresh fruit from America, except through customs bureau at Basle, where it is subject to an examination by an expert for San Jose scale or other parasites. No restrictions to direct importation of dried fruits.

Turkey.—A note from the minister of foreign affairs to the United States minister at Constantinople, dated October 18, 1894, states that the Imperial Government has decided to interdict the importation of trees, plants, and fruits coming from the United States.

Mr. WADSWORTH. Mr. Chairman, the bill which the gentleman from Iowa [Mr. HAUGEN] proposes as an amendment to the Agricultural appropriation bill simply provides for the inspection of nursery stock destined for interstate and foreign commerce. It is exactly in line with the inspection now provided for meats and lately provided, in the oleomargarine bill, for process and renovated butter. It probably is subject to a point of order, but it affords a perfect example of how difficult it is to give powers to the Secretary of Agriculture, except on the appropriation bills. This bill has been reported favorably, without a dissenting vote in the committee, three years in succession by the Committee on Agriculture. As it carries an appropriation, it goes to the Union Calendar, and there each time it has slept. I simply call attention to this fact to show you how difficult it is to give the Secretary of Agriculture any powers unless they are granted on the appropriation bill.

Mr. CANNON. Mr. Chairman, just a word. I am diffident, when I talk in earnest, about injecting points of order that cover material matters of legislation. I have great confidence in the respective committees of this House, especially where they have studied the questions presented. So that it is not in any captious spirit, by any manner of means, that I am thinking about interposing the point of order. I have read the bill in a hop, skip, and jump, and it seems to me to be very severe in its provisions and is liable in the hands of mischievous people to give very great trouble to the citizens. Take section 3:

SEC. 3. That the Secretary of Agriculture may designate, in each State and Territory and in the District of Columbia, qualified experts, with authority to examine all nursery stock about to be transported from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia, and issue their certificate stating the results of such examinations.

Then take section 4:

SEC. 4. That it shall be unlawful for any person, persons, or corporation to deliver to any other person, persons, or corporation, or to the postal service of the United States (except for scientific purposes by permission of the Secretary of Agriculture), for transportation from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or for exportation to any foreign country, any trees, plants, shrubs, vines, or other nursery stock which have not been examined in accordance with the provisions of section 3 of this act, or which, on said examination, have been declared by the inspector to be infested with dangerously injurious insects or diseases.

That is, in accordance with the army of experts that would examine all the plants and trees and shrubs throughout the country, and ought to, costing God knows how much, whether one million, five million, or ten million dollars. Then here comes a penalty—a fine for violation:

Any person, persons, firm, or corporation who shall forge, counterfeit, or knowingly alter, deface, or destroy any certificate or copy thereof, as provided for in this act and in the regulations of the Secretary of Agriculture, or shall in any way violate the provisions of this act, shall be deemed guilty of a misdemeanor, and on a conviction thereof shall be punished by a fine not to exceed \$500 nor less than \$200, or by imprisonment not to exceed one year, or both, at the discretion of the court.

Now, I am not in favor of these pests to nursery stock or trees or plants, but considering the way in which matters run, I am rather inclined to think it is absolutely my duty at this point, on a general appropriation bill, to interpose the point of order.

Mr. HAUGEN. Mr. Chairman, I wish to state that in the Fifty-sixth Congress a bill somewhat similar to this was introduced in this House and referred to the Committee on Agriculture. Opposition arose to the bill and differences of opinion between the different interests in this country. When I was requested to introduce this bill in this Congress I submitted it to the different parties interested and suggested to them that they agree upon a bill, and told them that until they had agreed upon a bill that would meet the demands of the different interests involved I would absolutely refuse to take it up for consideration in my subcommittee.

This bill was submitted to the Secretary of Agriculture, and the scientific men in the Department, and representative men in the nursery and horticultural business of all parts of this country, representing every State in the Union. The bill as it now stands is agreed upon by those interests. It is possible that the bill may be open to amendment, although I am inclined to believe at this time if we pass the bill we should pass it as it is drawn, and if it should be inadequate to meet the demands it could be amended or further legislation could be had later.

Mr. GARDNER of New Jersey. Not to discuss the point of order, but in line with what the gentleman has said, have you thought you were offering a bill as an amendment to the Agri-

cultural appropriation bill, a bill that has sections and has provisions peculiar to it, where that amendment prescribes certain things shall be done according to section 3? If that goes into the Agricultural appropriation bill, that will mean section 3 of the general bill. The limitation that you prescribe of expenditures of money under this act will mean the general Agricultural appropriation bill. After this bill has been adopted, if this amendment is adopted it will make it apply to the whole bill.

Mr. HAUGEN. I fully recognize that it is subject to a point of order, and if the point is raised there is no use perfecting the amendment. If the point of order is not raised, I expect to amend the amendment.

The CHAIRMAN. The Chair understands that the gentleman from Illinois makes the point of order against the amendment.

Mr. CANNON. Yes.

The CHAIRMAN. The Chair is clearly of the opinion that while this bill is similar to the oleomargarine and other bills of that nature, this is new legislation, and subject to the point of order upon an appropriation bill, and therefore sustains the point raised by the gentleman from Illinois.

The Clerk read as follows:

Bureau of Forestry, salaries: One forester, who shall be Chief of Bureau, \$3,500; 1 assistant forester, \$2,500; 1 assistant forester, \$1,800; 1 assistant forester, \$2,000; 1 stenographer, \$1,200; 1 field assistant, \$1,500; 1 field assistant, \$1,400; 1 field assistant, \$1,200; 1 field assistant, \$1,000; 1 field assistant, \$720; 10 collaborators, at \$400 each, \$3,000; 1 clerk class 3, \$1,600; 1 photographer, \$1,200; 1 computer, \$1,000; 3 clerks class 1, \$3,600; 2 clerks, at \$1,000 each, \$2,000; 4 clerks, at \$400 each, \$3,600; 7 clerks, at \$520 each, \$3,640; in all, \$37,860.

Mr. CANNON. I make the point of order on line 25, to the words "thirty-five hundred dollars," page 26.

Mr. WADSWORTH. That is one of the increases recommended by the committee for scientists of the Bureau, and is subject to the point of order.

The CHAIRMAN. Does the gentleman from New York acknowledge that it is subject to the point of order?

Mr. WADSWORTH. Yes, sir. Now I ask unanimous consent to insert "\$3,000" in place of "\$3,500." That makes the salary the same as last year.

The CHAIRMAN. The gentleman asks unanimous consent to make the change that he has just stated to the committee.

Mr. WADSWORTH. I ask unanimous consent that the Clerk change the total in accordance with the amendment.

The CHAIRMAN. Is there objection to the amendment? [After a pause.] The Chair hears none.

The Clerk read as follows:

General expenses, Bureau of Forestry: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, forest reserves, forest fires, and lumbering; to advise the owners of woodlands as to the proper care of the same; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to collect and distribute valuable economic forest tree seeds and plants; for the employment of local and special agents, clerks, assistants, and other labor required in practical forestry and in conducting experiments and investigations in the city of Washington and elsewhere, and for collating, digesting, reporting, illustrating, and printing the results of such experiments and investigations; for the purchase of all necessary supplies, apparatus, and office fixtures; for freight and express charges, and traveling and other necessary expenses, \$245,000, of which sum not to exceed \$3,000 may be used for rent, and \$700 of the latter amount may be used in payment of rent for the months of March, April, May, and June, 1902. And the employees of the Bureau of Forestry outside of the city of Washington may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year.

Mr. CANNON. Mr. Chairman, I wish the gentleman from New York would strike out the word "hereafter." I reserve the point of order. I do not want legislation on this. Let it apply to the current year.

Mr. WADSWORTH. Line 15?

Mr. CANNON. Yes.

Mr. WADSWORTH. I have no objection to that, Mr. Chairman.

The CHAIRMAN. Without objection, the word "hereafter," in line 15, will be stricken out. [After a pause.] The Chair hears no objection.

The Clerk read as follows:

Total for Bureau of Forestry, \$282,860.

Mr. WADSWORTH. I ask unanimous consent that the Clerk may correct the total on line 20. It should be \$282,360. The gentleman from Illinois suggests that I ask unanimous consent that the Clerk correct all the totals hereafter.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the Clerk correct all totals hereafter. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Bureau of Chemistry, salaries: One chemist, who shall be chief of bureau, \$3,500; 1 assistant chemist, \$2,500; 1 assistant chemist, \$1,800; 1 assistant chemist, \$1,600; 1 clerk class 2, \$1,400; 2 clerks class 1, \$2,400; in all, \$13,200.

Mr. CANNON. Now, Mr. Chairman, I must make the point of order on line 23, page 28, on \$3,500. I suppose the gentleman wants \$500 stricken out and let it stand at \$3,000?

Mr. WADSWORTH. That is another scientist, Mr. Chairman,

whose salary was recommended by the committee and is subject to the point of order. I ask unanimous consent that it be inserted at \$3,000.

The CHAIRMAN. The gentleman moves to amend by striking out the words "five hundred." Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

To enable the Secretary of Agriculture to investigate the character of proposed food preservatives and coloring matters, to determine their relation to digestion and to health, and to establish the principles which should guide their use; to enable the Secretary of Agriculture to investigate the character of the chemical and physical tests which are applied to American food products in foreign countries, and to inspect before shipment, when desired by the shippers or owners of these food products, American food products intended for countries where chemical and physical tests are required before said food products are allowed to be sold in the countries mentioned, and for all necessary expenses connected with such inspection and studies of methods of analysis in foreign countries; to enable the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists, and such other experts as he may deem necessary, to establish standards of purity for food products and to determine what are regarded as adulterations therein, for the guidance of the officials of the various States and of the courts of justice; for the preparation of reports, the purchase of apparatus, chemicals, samples, and supplies required in conducting such investigations, the employment of local and special agents, clerks, assistants, and other labor required in conducting such experiments in the city of Washington and elsewhere, and in collating, digesting, and reporting the results of such experiments; for freight and express charges, and for traveling and other necessary expenses, and for the rent of building occupied by the Bureau of Chemistry.

Mr. CANNON. I make the point of order on page 31, from and including the word "to," on line 1, to and including the word "justice," in line 6. The gentleman from New York asks me to reserve the point of order. I will do so.

Mr. WADSWORTH. Now, Mr. Chairman, that clause was put in after hearings before the Committee on Agriculture of the different manufacturers of foods in various parts of the country. It seems that the different chemists of the different States differ as to what constitutes an adulteration of food, and what constitutes poisons in food that would be injurious to health and what not be injurious, and the result is that the food product in one State is declared good and wholesome and in another State declared unwholesome and impure; and the result is that the manufacturers are at sea about what to do in the matter.

They appeared before us and asked us to give the Secretary of Agriculture power to decide on inspection of said foods—what is impure food, adulterated food, or a poisonous food—and that the testimony when taken to our courts would probably regulate the matter. Our understanding is they want to have some central authority to let the State the trees have become infested by the scale. The food, to correct the pest for a few weeks one orchard of 3,000 trees had another orchard 1,000 trees. I will say to the gentleman from Illinois, and we urge it, notwithstanding the point of order. It is absolutely in the line of good legislation. If we attempted to pass the bill by itself, where would it be?

Mr. CANNON. It would be subject to full and intelligent consideration upon its merits.

Mr. WADSWORTH. It is subject to that now. Will the gentleman state any reason for throwing it out?

Mr. CANNON. Yes; the point of order is that it is new legislation.

Mr. WADSWORTH. I am not talking about the point of order, but I mean on its merits.

Mr. CANNON. Let us read it and determine whether it is subject to a point of order, and, incidentally, if the committee will give me their attention, see how much merit it has.

To enable the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists—

Who they are God only knows, I do not—
and such other experts as he may deem necessary—

All becoming experts in the pay of the Government. You can put in a dozen experts from every State in this Union to be constantly in session—

and such other experts as he may deem necessary—

To do what?—

to establish standards of purity for food products and to determine what are regarded as adulterations therein, for the guidance of the officials of the various States and of the courts of justice.

Mr. WILLIAMS of Mississippi. I suppose the gentleman from Illinois understands that Congress neither has the power, nor is it the desire by this bill, literally, to govern or control the courts of justice in the States, but to submit to them the determination of scientific men as an argument before the court, as evidence given to the courts of what constitutes adulteration, poisonous adulteration, unwholesome adulteration.

Mr. CANNON. I have great respect for the judgment of the gentleman from Mississippi, able as he is, born under conditions and living under conditions where he would be glad indeed to let the States exercise their police powers within their own jurisdiction. I think I have heard him bear testimony against paternalism in the Government—

Mr. WILLIAMS of Mississippi. The gentleman is certainly right. If I thought this had the slightest tendency in that direction, I would be more opposed to it than is the gentleman from Illinois, but this is merely to collect and announce what, in the opinion of the chemists in the Agricultural Department, constitutes unwholesome adulteration. It controls no State, it controls no State police power; it does not pretend to; it merely gives the standard, which the State court can consider or ignore, whichever they please, but which, in our opinion, would have a persuasive force, if no other.

Mr. CANNON. And yet, under existing appropriations, the chemist of the Agricultural Department has the power to conduct these investigations. Now, then, this is legislation, as it enables the Secretary "in collaboration with the association," whatever that is, "of Official Agricultural Chemists, and such other experts as he may deem necessary;" how many? One thousand?

Mr. WADSWORTH. Will the gentleman from Illinois allow me to correct him?

Mr. CANNON. Certainly.

Mr. WADSWORTH. It is to enable the Secretary of Agriculture, in collaboration with the Association of the Official Agricultural Chemists and such other experts as he may deem necessary. It does not say that these other experts are to be employed; it says in collaboration with them.

Mr. CANNON. It says, "and such other experts as he may deem necessary." Why, all this appropriation for this purpose is available to pay experts.

Mr. WADSWORTH. The actual fact is this: The Association of Official Agricultural Chemists is composed of the State chemists of the various States and Territories, and it is proposed to bring them together and decide upon an agreement as to what constitutes adulterated or poisonous food.

Mr. CANNON. Does not my friend understand who pays the freight?

Mr. WILLIAMS of Mississippi. I want to make this suggestion, if the gentleman thinks there is anything in the idea that these experts are to be employed or paid by the Department. We should have no objection to inserting "not, however, to be paid by the Department of Agriculture." We do not think it is subject to that interpretation, but we have no objection to that amendment.

Mr. CANNON. It seems to me that it would be better to report the provision and let it be considered as other bills are.

Mr. WILLIAMS of Mississippi. This was considered after a very careful hearing. The chemists of the Department came before us, and the manufacturers and other people were heard on the question by letter and petition and in person and otherwise. I will suggest that if the gentleman will withdraw the point of order we will insert the language, after the word "necessary," "not, however, to be paid by the Department of Agriculture or by the Government of the United States," or "without expense to the Government of the United States."

Mr. CANNON. No; I will make the point of order.

Mr. WILLIAMS of Mississippi. I am not arguing the point of order. I think the gentleman is correct in his position on the point of order.

Mr. CANNON. I think so; and on the balance of the provision you are to have an army of people. I make the point of order on the whole paragraph.

Mr. WADSWORTH. I think if the Chair will refer to the law under which the Agricultural Department was created he will see that the Secretary was authorized to make all the investigations in the interest of the people that was necessary, and I claim it comes under that provision of the law.

Mr. SCOTT. Mr. Chairman, it occurs to me that the interpretation of this language by the gentleman from Illinois is clearly not justified by anything that appears on this page. The words "in collaboration" themselves exclude the idea of employment. When two men collaborate for the production of a play or a book it is not the case that one employs the other or hires him as a servant. They work together, and the intention of this provision is to permit the chemist in the Department to work in collaboration with the chemists from the various States, from foreign countries, if that be desired and deemed necessary to arrive at the result. It seems reasonably clear that under the general legislation authorizing the Secretary of Agriculture to carry on those investigations the provision in this section could not be ruled out of order.

The CHAIRMAN. The Chair regards food products as connected with agriculture. The act creating the Department of Agriculture reads, in the first section, as follows:

There shall be at the seat of Government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

Now, while this may not be free from some doubt, yet as food

products are closely connected with agriculture "in the most comprehensive use of the word," and as this provision in the bill simply permits the Secretary of Agriculture to carry out a regulation having this end in view, the Chair is inclined to believe, and will so rule, that it is not subject to the point of order made by the gentleman from Illinois.

Mr. CANNON. I bow to the decision of the Chair.

The Clerk read as follows:

To investigate, in collaboration with the Bureau of Animal Industry, the chemistry of dairy products and of adulterants used therein, and of the adulterated products; to determine the composition of process and other treated butters, and other chemical studies relating to dairy products.

To study, in collaboration with the Weather Bureau and agricultural experiment stations, the influence of environment upon the chemical composition of wheat and other cereals, with especial reference to the variation in the content of gluten, and the suitability of barley for brewing and other purposes.

Mr. CANNON. I make a point of order on the provision extending from line 16, page 31, to line 2, page 32. My point is that this is new legislation.

Mr. WADSWORTH. I claim that it comes under the provision of law which the Chair has just read.

The CHAIRMAN. Does the gentleman from Illinois think that the provisions on which he makes the point of order differ materially from those on which the Chair has just ruled?

Mr. CANNON. I think they are clearly legislation. If the Department has the power to do this now, what is the use of putting the provision in? It is put in, no doubt, for the very purpose of giving this power to the Department.

The CHAIRMAN. This is making an appropriation to pay for doing the thing which the law authorizes the Commissioner of Agriculture to do. This case, in the view of the Chair, comes within the reasoning of the former ruling.

Mr. CANNON. Well, there is a Department of Agriculture; I cheerfully make that concession to the Chair. [Laughter.]

The CHAIRMAN. Yes; and the law creating it is quite broad. The Chair overrules the point of order.

The Clerk read as follows:

To investigate the chemical composition of sugar-producing plants in the United States and its possessions, and, in collaboration with the Weather Bureau and agricultural experiment stations, to study the effects of environment upon the chemical composition of sugar-producing plants, especially with reference to their content of available sugar, \$20,500, \$20,000 of which sum, or so much thereof as is necessary, shall be used in investigating, determining, and reporting the proper treatment and process in order to secure uniform grade and quality of first-class marketable table cane sirup.

Mr. CANNON. I rise to a point of order, and I call the attention of the Chair to the last clause of this paragraph, providing an appropriation of \$20,000, of which so much as may be necessary "shall be used in investigating, determining, and reporting the proper treatment and process in order to secure uniform grade and quality of first-class marketable table cane sirup."

Is there anything in that except a police regulation? Of course it is not authorized by existing law. If the gentleman from New York [Mr. WADSWORTH] or anybody else thinks that he can torture the general grant coming from the mere creation of a Department of Agriculture into an authority to exercise police regulations to determine what is "first-class marketable cane sirup," I will yield to him to do so.

Mr. WADSWORTH. Why, sir, the gentleman does not understand the language. I think the clause of the law, as read by the Chair, covers this point also.

The CHAIRMAN. Does the gentleman from Illinois [Mr. CANNON] class cane sirup as an agricultural or a manufactured product? [Laughter.]

Mr. CANNON. Ask me something easy. [Renewed laughter.] I regard it as tolerably important that we should save, if we can, \$20,000 that it is proposed to expend upon a matter of doubtful wisdom and not authorized by law—an expenditure that ought not be made except by virtue of a law fully considered.

The CHAIRMAN. Now let the Chair read to the gentleman from Illinois again what he read before; and the committee will please be in order so that the gentleman may hear.

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, etc.

Now, it seems to the Chair that cane sugar or cane sirup may be deemed a "subject connected with agriculture in the most general and comprehensive sense of the word."

Mr. CANNON. Will the Chair indulge me in a single remark? Upon the reasoning adopted by the Chair it would also be in order to make investigations from a scientific standpoint touching the propagation of the human race, because there can be no agriculture without human beings. [Laughter.]

The CHAIRMAN. That is where the Chair has the misfortune to differ with the gentleman from Illinois. The Chair overrules the point of order.

The Clerk read as follows:

Total for Bureau of Chemistry, \$73,200.

Mr. HENRY C. SMITH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

In line 15, page 32, after the word "dollars," insert the following: "Provided, That all chemical work in the Department of Agriculture of every description shall be done under the direction of the Bureau of Chemistry and in collaboration with the various bureaus, divisions, and officers requiring such investigation."

Mr. HENRY of Connecticut. Mr. Chairman, I make the point of order on that amendment.

Mr. WADSWORTH. Mr. Chairman, I reserve the point of order.

Mr. HENRY C. SMITH. Mr. Chairman, I desire to say that in substance this amendment was offered by me to the committee, and it was substantially agreed to by that committee. The suggestion, however, was made at that time that it should not be pressed, because there were already chemical laboratories in other departments in operation, and that for that reason a general bill should be reported by the committee; but since that discussion I have reflected upon the proposition, and it seems to me that those things would not in any manner interfere with the enactment of this provision.

Now, what is the situation? A Bureau of Chemistry is established in the Department of Agriculture, and the inference is that that Bureau should have charge of everything of a chemical character in the way of chemical investigation that belonged to the Department of Agriculture, and the fact is that that Bureau today makes chemical analyses and does whatever is necessary in that direction for the Treasury Department, the War Department, the Department of Justice, and the Post-Office Department, and yet for the sole purpose of giving people jobs, for the sole purpose of having new bureaus and chiefs of new bureaus the chemical department in the Department of Agriculture has been duplicated five times, and three out of five of those chemical bureaus are as absolutely unnecessary and useless as it is possible for them to be.

Take, for instance, in the Bureau of Animal Industry. There has been established a bureau for the consideration of dairy products, and new apparatus, and new chemicals, and new appliances, absolute duplicates of the same department in the Bureau of Chemistry for the investigation of dairy products were installed. There are two, involving expenditure of large sums of money, and the Secretary of Agriculture admitted himself that he had no knowledge of the existence of at least one of them; it had got in there in the night—got in there without his knowledge—and that is the way these bureaus grow, and here they are. In the Department of Animal Industry there are the biochemical laboratory and the dairy products laboratory, both of them now existing in the Bureau of Chemistry proper, both of them in charge of competent men.

There is no reason in the world, the Secretary himself says, why the whole thing should not be done under the general bureau. And what next have we? Here is the Bureau of Soils, and in the general chemical bureau there is a man in charge of soil investigation, with assistants and with clerks. He does everything in the nature of soil investigation that the Department of Agriculture would like to have done or desires to have done; and yet this man at the head of the chemical department in the Bureau of Soils is not a chemist even. The chief of that bureau is not even a chemist, and yet he has a bureau there with some assistants.

Mr. CANNON. Does not my friend think it is desirable to carry on this bureau for the purpose of educating this man?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Michigan be extended five minutes. Is there objection?

There was no objection.

Mr. HENRY C. SMITH. I will say, in answer to the gentleman from Illinois, that it is my opinion that that man can not be educated either at public or private expense. [Laughter.] He was before our committee, and the conduct of the man after he went back to the Department and reported who voted in favor of the bill and who voted against the Department of Agriculture, and the discussion that he wrought up there, is an indication that he is far from being in a position to be educated. In that connection I want to call the attention of the members of the House to another thing, and I am not saying anything against him. You have been furnished with a little card from the Chief of the Bureau of Soils, advising you where he is going this summer, where he is going to survey—a card published at Government expense.

Now, those cards are sent out for a lobby, to indicate to you and to me that he is going into our territory, and he wants our support for his entire department. What other bureau is there? In the Bureau of Soils there is a chemical laboratory. What else? In the Office of Experiment Stations they do chemical work. Then,

there is another at Middletown, Conn., and another in Maine, and another at the State College in Pennsylvania. The Secretary of Agriculture said before our committee that every bit of this work ought to be done here in the city of Washington, and that it ought to be done by the Chemical Bureau at the Department of Agriculture; that the tendency of it would be to make the men in charge of the Bureau more proficient and would enable the Department of Agriculture to get better men.

And what else? In the Bureau of Plant Industry there is another chemical laboratory with appliances and material, and chiefs and assistant chiefs, and clerks, and assistants, and stenographers; and upon the proposition of consolidating these chemical bureaus the only answer that the chief of this Bureau could make, reduced to writing, and the only argument that he could make to sustain it was that it would be just as reasonable to have all the stenographers and all the typewriters under one head, and if you wanted any typewriting done or any stenographic work done that you should go to that one department of stenography.

Now, I submit, Mr. Chairman and gentlemen, that it is absolutely useless to have these chemical bureaus in these various departments, and that the chemistry of this Government ought to be under one controlling and proficient head, and that we ought to put a stop to this increase of bureaus and this duplication of work.

That is all I care to say.

The CHAIRMAN. The gentleman from Connecticut [Mr. HENRY] makes the point of order against the amendment, and the Chair sustains the point of order.

On motion of Mr. WADSWORTH, the committee rose; and the Speaker having resumed the chair, Mr. POWERS of Maine, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 5111. An act granting an increase of pension to James D. Bowland;

H. R. 13031. An act to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent; and

H. R. 5711. An act granting increase of pension to James R. Brockett.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1321. An act to restore to the active list of the Navy the name of James G. Field;

S. 3663. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway.

S. 4339. An act authorizing the White River Railway Company to construct a bridge across the White River in Arkansas;

S. 715. An act to provide for two additional associate justices of the supreme court of the Territory of Oklahoma, and for other purposes; and

S. 4647. An act to amend section 4929 of the Revised Statutes, relating to design patents.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bill of the following title:

H. R. 13031. An act to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1191. An act for the relief of the legal devisees of James W. Schaumburg—to the Committee on Claims.

S. 3967. An act for the relief of Ramon O. Williams and Joseph A. Springer—to the Committee on Claims.

S. 4419. An act to incorporate the General Education Board—to the Committee on Education.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. WOODS, until Wednesday next, on account of important business.

To Mr. STEELE, indefinitely, on account of important business. To Mr. GARDNER of Michigan, for one week, on account of important business.

And then, on motion of Mr. WADSWORTH (at 5 o'clock and 3 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an additional estimate of appropriation for the dedication of the statue of Rochambeau—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. MOODY of Oregon, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11062) to amend an act entitled "An act to make certain grants of land to the Territory of New Mexico, and for other purposes," reported the same with amendment, accompanied by a report (No. 1828); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13174) granting an increase of pension to Ransford T. Chase, reported the same with amendment, accompanied by a report (No. 1798); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5337) granting an increase of pension to Marietta L. Adams, reported the same without amendment, accompanied by a report (No. 1799); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7040) granting an increase of pension to Benjamin F. Grinnel, reported the same with amendments, accompanied by a report (No. 1800); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8414) granting an increase of pension to George Atkinson, reported the same with amendments, accompanied by a report (No. 1801); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13597) granting an increase of pension to Edmund B. Appleton, reported the same with amendments, accompanied by a report (No. 1802); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8487) granting a pension to John M. Crist, reported the same with amendments, accompanied by a report (No. 1803); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13891) granting a pension to Hiram A. Sheldon, reported the same with amendments, accompanied by a report (No. 1804); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13377) granting a pension to Capt. Enoch Voyles, reported the same with amendments, accompanied by a report (No. 1805); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7021) granting an increase of pension to Henry Forcht, reported the same with amendment, accompanied by a report (No. 1806); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5321) granting a pension to Lillie May Fifield, reported the same with amendment, accompanied by a report (No. 1807); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2787) granting a

pension to Cornelia S. Ribble, reported the same with amendments, accompanied by a report (No. 1808); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7319) granting an increase of pension to Mrs. F. H. Anthony, reported the same with amendments, accompanied by a report (No. 1809); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2563) granting an increase of pension to Robert R. Strong, reported the same with amendment, accompanied by a report (No. 1810); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7382) granting a pension to Jacob Mock, reported the same with amendments, accompanied by a report (No. 1811); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1741) granting an increase of pension to Griffith Evans, reported the same with amendments, accompanied by a report (No. 1812); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8401) granting an increase of pension to Henry E. Murphy, reported the same without amendment, accompanied by a report (No. 1813); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8924) granting an increase of pension to George W. Mathews, reported the same with amendments, accompanied by a report (No. 1814); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12562) granting an increase of pension to William H. Temple, reported the same with amendment, accompanied by a report (No. 1815); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12047) granting an increase of pension to Jackson L. Wilson, reported the same with amendments, accompanied by a report (No. 1816); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12779) granting an increase of pension to George Chamberlain, reported the same with amendments, accompanied by a report (No. 1817); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13467) granting a pension to Joseph H. Woodniff, reported the same with amendments, accompanied by a report (No. 1818); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7679) granting an increase of pension to Franklin Snyder, reported the same with amendment, accompanied by a report (No. 1819); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4004) granting an increase of pension to Thomas L. Nelson, reported the same without amendment, accompanied by a report (No. 1820); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2461) granting an increase of pension to George McDowell, reported the same without amendment, accompanied by a report (No. 1821); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3992) granting an increase of pension to David M. McKnight, reported the same with amendment, accompanied by a report (No. 1822); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1593) granting an increase of pension to Eben C. Winslow, reported the same without amendment, accompanied by a report (No. 1823); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3999) granting an increase of pension to Emma S. Hanna, reported the same without amendment, accompanied by a report (No. 1824); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4238) granting an increase of pension to Philo F. Englesby, reported the same

without amendment, accompanied by a report (No. 1825); which said bill and report were referred to the Private Calendar.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 13480) to provide an American register for the steamer Brooklyn, reported the same without amendment, accompanied by a report (No. 1827); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 13990) for the relief of the owners of the Norwegian steamship Nicaragua, reported the same without amendment, accompanied by a report (No. 1829); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BULL: A bill (H. R. 14080) for the appointment of a board of visitors to attend the commencement exercises at the Naval War College, at Newport, R. I.—to the Committee on Naval Affairs.

By Mr. WHEELER: A bill (H. R. 14081) to incorporate the Interstate Bridge Company and to authorize the construction of a railway bridge and approaches across the Ohio River, at a point suitable to the interest of navigation between the cities of Cairo, in the State of Illinois, and Paducah, in the State of Kentucky; to regulate commerce in and over such bridge between the States of Kentucky and Illinois, and to establish such bridge a military and post road—to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of South Dakota: A bill (H. R. 14082) to provide for the construction of a bridge by the Duluth, Pierre and Black Hills Railroad Company across the Missouri River at Pierre, S. Dak.—to the Committee on Interstate and Foreign Commerce.

By Mr. POWERS of Maine (by request): A bill (H. R. 14083) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to provide for a Delegate to the House of Representatives of the United States from Porto Rico—to the Committee on Insular Affairs.

By Mr. HOOKER: A bill (H. R. 14084) to amend an act, "No. 76—Public," passed in the first session Fifty-sixth Congress, entitled, "An act to legalize and maintain the iron bridge across Pearl River at Rockport, Miss."—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE of Massachusetts: A bill (H. R. 14085) to authorize the Baltimore and Washington Transit Company to extend its street railway in the District of Columbia—to the Committee on the District of Columbia.

By Mr. COOPER of Texas: A bill (H. R. 14104) to prohibit fraud in the importation of articles from the Danish Islands into the United States—to the Committee on Ways and Means.

By Mr. GROSVENOR: A bill (H. R. 14105) to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of persons honorably discharged from the military or naval service—to the Committee on Reform in the Civil Service.

By Mr. BULL: A resolution (H. Res. 232) requesting the Secretary of the Navy to furnish information relative to the building of war ships in the government navy-yards of foreign countries, and also to furnish the names and the cost of all vessels built by the United States during the past twenty years—to the Committee on Naval Affairs.

By Mr. CANNON: A resolution (H. Res. 233) to permit amendment of H. R. 14019, relating to assessment and collection of personal-property taxes in the District of Columbia—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS: A bill (H. R. 14086) to authorize the President to place the name of Archibald K. Eddowes on the retired list of the United States Navy with the rank of chief engineer, United States Navy—to the Committee on Naval Affairs.

By Mr. CASSEL: A bill (H. R. 14087) granting a pension to Lizzie Dunlap—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 14088) granting a pension to Hattie Ellsworth—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14089) granting a pension to Frank Smidt—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 14090) granting a pension to Henry C. Haywood—to the Committee on Invalid Pensions.

By Mr. MERCER: A bill (H. R. 14091) granting a pension to Charles A. Warrick—to the Committee on Pensions.

By Mr. MILLER: A bill (H. R. 14092) granting an increase of pension to Silas B. Hovious—to the Committee on Invalid Pensions.

By Mr. MOSS: A bill (H. R. 14093) granting an increase of pension to John H. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14094) granting an increase of pension to James R. Richmond—to the Committee on Invalid Pensions.

By Mr. NAPHEN: A bill (H. R. 14095) granting a pension to John H. Leslie—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 14096) authorizing the President of the United States to nominate George L. Fisher as second lieutenant in the United States Army—to the Committee on Military Affairs.

By Mr. SHERMAN: A bill (H. R. 14097) granting an increase of pension to Alexander Ransom Pope and Mary Lee Pope—to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 14098) granting an increase of pension to Albert M. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14099) granting a pension to Samantha B. Van Brocklin—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 14100) for the relief of John Mantel, of Escambia County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 14101) for the relief of the estate of W. D. Williams—to the Committee on Claims.

By Mr. GRAFF: A bill (H. R. 14102) to vest title to certain property in Leopold Luchs—to the Committee on Claims.

By Mr. HEPBURN: A bill (H. R. 14103) granting an increase of pension to Delu Norris—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTHOLDT: Petition of 21 citizens of Missouri and other States, protesting against the "Jim Crow" car law—to the Committee on the Judiciary.

Also, petition of Thaddeus Kosciuszko Lodge, No. 309, Polish National Alliance, St. Louis, Mo., favoring House bill 16, for the erection of an equestrian statue of the late General Pulaski at Washington, D. C.—to the Committee on the Library.

Also, resolutions of the St. Louis Manufacturers' Association, approving the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolutions of St. Louis Trades and Labor Union, in favor of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Future Great Lodge, No. 45, Brotherhood of Railroad Trainmen, of St. Louis, Mo., in support of the bill known as "the Foraker-Corliss safety-appliance bill"—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Stereotypers' Union No. 8 and Post No. 13, Grand Army of the Republic, St. Louis, Mo., favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of St. Louis Manufacturers' Association, in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Stereotypers' Union No. 8, of St. Louis, Mo., in favor of the exclusion of Chinese laborers, etc.—to the Committee on Foreign Affairs.

Also, resolutions of Shoemakers' Union No. 126, St. Louis, Mo., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BOWERSOCK: Resolutions of Union No. 4, Brotherhood of Railway Carmen, Topeka, Kans., in favor of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. CROMER: Petition of Bricklayers' Union No. 9, of Muncie, Ind., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. DOVENER: Resolutions of United Mine Workers' Unions Nos. 1875 and 1903, of Wilsonburg, W. Va., favoring the restriction of the immigration of cheap labor from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. DRAPER: Resolutions of the Interdenominational Council of Women for Christian and Patriotic Service, New York City, for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

By Mr. GORDON: Papers to accompany House bill 726, granting a pension to Eliza Clark—to the Committee on Pensions.

Also, papers to accompany House bill No. 730, for the relief of John Howell—to the Committee on Military Affairs.

Also, papers to accompany House bill 738, for the relief of John Morris—to the Committee on Military Affairs.

By Mr. GRAHAM: Petition of H. Paul Staley and others, of Cheswick and vicinity, Allegheny County, Pa., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

Also, resolutions of United Mine Workers' Unions of Sunnyside and Sturgeon, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. GRIFFITH: Testimony in support of House bill 13798, granting an increase of pension to John H. Berry—to the Committee on Invalid Pensions.

By Mr. HANBURY: Additional papers to accompany House bill 11320, for the relief of Mary Leary and children—to the Committee on Claims.

By Mr. HOWELL: Resolution of St. Joseph Polish Society, of South Amboy, N. J., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. HULL: Resolutions of Division No. 38, Order of Railway Conductors, of Des Moines, Iowa, for the passage of House bill 9330, for a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. JACK: Resolutions of Chestnut Ridge Lodge, No. 310, Locomotive Firemen, of Derry Station, Pa., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, petition of the same lodge for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of D. J. Waller, jr., and others, of Indiana, Pa., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

By Mr. JOY: Petition of Charles Etzel, of St. Louis, Mo., for a pension—to the Committee on Invalid Pensions.

By Mr. KERN: Petition of John C. Schmucker, of Bremen, Ill., favoring House bill 9206—to the Committee on Agriculture.

Also, resolutions of St. Clair Lodge 353, of Belleville, Ill., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 2, of Belleville; Carpenters' Union 798, of Salem; Butchers' Union 53; Machinists' Association No. 121, of East St. Louis; Local Union 359, of New Baden; Carpenters' Union 479, of Sparta; Cigar Makers' Union No. 410, of Centralia, and Switchmen's Union, of East St. Louis, Ill., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolutions of St. Joseph's Beneficial Society, of Brooklyn, N. Y., favoring the erection of a statue to the late Brigadier-General Count Pulaski, at Washington—to the Committee on the Library.

By Mr. MAYNARD: Petition of Harry P. Moore, of Norfolk, Va., for repeal of the duties on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. MERCER: Petition of letter carriers of Omaha, Nebr., favoring the passage of House bill 306—to the Committee on Claims.

Also, resolution of the Omaha Real Estate Exchange, concerning irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of members of the bar of Omaha, Nebr., protesting against the division of Nebraska into two judicial districts—to the Committee on the Judiciary.

Also, resolutions of Local Lodge No. 31, Association of Machinists, Omaha, Nebr., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOON: Resolutions of Federal Labor Union, No. 7600, of Victoria, Tenn., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUPPERT: Resolutions of Cigar Makers' Union No. 141, Cigar Packers' Unions Nos. 251 and 213, Carpenters' Unions Nos. 457 and 240, and Operative Plasterers' Union, all of New York City, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Petition of citizens of Clinton, asking that the duty on beef, veal, mutton, and pork be repealed—to the Committee on Ways and Means.

Also, resolutions of the Trades Assembly of Utica, N. Y., in favor of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Papers to accompany House bill 14077, for the relief of John L. Lynch, for loss of property by depredation of Indians—to the Committee on Claims.

By Mr. SULZER: Petition of Annie Otis Hoge, Rye, N. Y., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. WARNER: Petition of citizens of Rantoul, Ill., for the repeal of the tariff duties on beef, etc.—to the Committee on Ways and Means.

By Mr. WILSON: Resolutions of Local Assembly 6909, Knights of Labor, Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petitions of various citizens of Brooklyn, N. Y., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

SENATE.

WEDNESDAY, April 30, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SPOONER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 13246) to authorize the construction of a bridge across the Chattahoochee River between Columbus, Ga., and Eufaula, Ala., or in the city of Columbus, Ga.

The message also announced that the House had passed a bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. KEAN. I present resolutions adopted at a meeting of Trenton Lodge, No. 38, Brotherhood of Railroad Trainmen, of Trenton, N. J., relative to the anti-injunction bill; which I ask may be read.

The resolution was read, and ordered to lie on the table, as follows:

TRENTON, N. J., April 28, 1902.

HON. JOHN KEAN,
United States Senator.

HONORABLE SIR: Your careful attention is respectfully directed to the following resolutions adopted at a regular meeting of Trenton Lodge, No. 38, Brotherhood of Railroad Trainmen, on Sunday, April 20, 1902:

Whereas the several railroad organizations, as representing the men in the railroad service in the United States, have, through their joint representative, Mr. H. R. Fuller, supported and urged the passage of Senate bill 1118, known as the "Hoar-Grosvenor anti-injunction bill;" and

Whereas by some influence at this time unknown to your petitioners the Committee on the Judiciary has reported out a bill known as Senate bill No. 4553, as a substitute, and which not only defeats the ends sought in the original measure, but which would bring new evils to bear upon our craft: Therefore, be it unanimously

Resolved by the officers and members of Trenton Lodge, No. 38, Brotherhood of Railroad Trainmen, That we deprecate the act of this committee in ignoring the interests of labor, in placing in the hands of unscrupulous jurists an official sanction of the now unlawful and arbitrary use of the writ of injunction, which is always used by the servile, mercenary, corporation judge as a club with which to keep working men in subjection; and, be it further

Resolved, That we firmly believe that this substitution has been accomplished through the instrumentality of unfair discrimination, a thing in itself so despicable, that no representative of workmen seeking for their rights would for an instant stoop to it. Finally, be it

Resolved, That we want Senate bill No. 4553 defeated, and that we desire to have you urge the passage of the original measure—Senate bill No. 1118—in order that the rights of labor may be preserved.

Given under our hands and the seal of our lodge, in the city of Trenton, N. J., this 20th day of April, A. D. 1902.

[SEAL.]

U. M. CONWAY, Committee.

Attest:

W. M. CONWAY, Secretary.

Mr. KEAN presented petitions of sundry citizens of Rahway, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Jersey Central Division, No. 307, Order of Railway Conductors, of Somerville, and of Camden Division, No. 22, Brotherhood of Locomotive Engineers, of Camden, in the State of New Jersey, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. WELLINGTON. I present a joint resolution of the general assembly of Maryland, urging an appropriation to acquire and enlarge the Chesapeake and Delaware Canal, and also a joint resolution of the general assembly of Maryland, relative to an appropriation for the completion of "inland waterways" connecting Chincoteague Bay and the Delaware Bay. I ask that the joint resolutions be printed in the RECORD, and referred to the Committee on Commerce.

The PRESIDENT pro tempore. The Chair is informed that the joint resolutions have already been printed in the RECORD, having been presented yesterday by the junior Senator from Maryland [Mr. MCCOMAS].

Mr. WELLINGTON. Then I ask that the joint resolutions may be simply noted in the RECORD, and referred to the Committee on Commerce.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

Mr. WELLINGTON presented a petition of the Board of Trade of Baltimore, Md., praying for the enactment of legislation providing for a liberal system of reciprocity with Cuba; which was referred to the Committee on Relations with Cuba.

He also presented petitions of Lodge No. 432, Brotherhood of Locomotive Firemen, of Baltimore; of Lodge No. 214, Brotherhood of Locomotive Firemen, of Baltimore, and of Carriage and Wagon Workers' Local Union No. 83, American Federation of Labor, of Baltimore, all in the State of Maryland, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

He also presented petitions of Lodge No. 214, Brotherhood of Locomotive Firemen, of Baltimore; of Lodge No. 432, Brotherhood of Locomotive Firemen, of Baltimore; of the Local Union of Fredericktown; of Brewery Workers' Local Union No. 105, of Hagerstown; of Sheet Metal Workers' Local Union No. 122, of Baltimore, and of Retail Clerks' Local Union No. 22, of Cumberland, all of the American Federation of Labor, in the State of Maryland, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. PLATT of New York presented a petition of the Audubon Society of the State of New York, praying for the enactment of legislation for the protection of game in Alaska, etc.; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of sundry citizens of New York, praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of Court Sunset Cox, No. 125, Foresters of America, of New York City, praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Parlor City Lodge, No. 36, Brotherhood of Railroad Trainmen, of Binghamton; of Elmira Division, No. 9, Order of Railway Conductors, of Elmira; of Buffalo Division, No. 2, Order of Railway Conductors, of Buffalo; of D. Hopkins Lodge, No. 1, Brotherhood of Railroad Trainmen, of Oneonta, and of Northern Central Lodge, No. 413, Brotherhood of Railroad Trainmen, of Elmira, all in the State of New York, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. SCOTT presented a petition of Colonel A. Howard Fleming Lodge of Brotherhood Trainmen, of Fairmont, W. Va., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the adoption of a substitute therefor; which was ordered to lie on the table.

Mr. HARRIS presented a petition of the Kansas State Millers' Association, of Wichita, Kans., praying for the ratification of certain reciprocity treaties; which was referred to the Committee on Foreign Relations.

Mr. DRYDEN presented petitions of Lodge No. 11, Brotherhood of Locomotive Firemen, of Phillipsburg; of Local Division No. 85, Order of Railroad Telegraphers, of Trenton, and of Local Division No. 312, Order of Railway Conductors, of Weehawken, all in the State of New Jersey, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the adoption of any substitute therefor; which were ordered to lie on the table.

Mr. QUAY presented a petition of Verona Lodge, No. 132, International Association of Machinists, of Verona, Pa., and a petition of Iron and Steel Workers' Local Union No. 9249, of Pottstown, Pa., praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented petitions of Lieutenant William Allison Post, No. 196, of Duncannon; of Post No. 157, of Pittsburg; of Gettysburg Circle, No. 138, Ladies of the Grand Army of the Republic, of Gettysburg; of Henry Metcalf Post, No. 431, of Port Allegheny; of M. C. Lowry Post, No. 124, of Meyersdale, and of Kenady Post,